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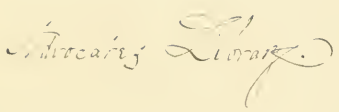

MISCELLANY

OF THE

ABBOTSFORD CLUB.

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OF THE

ABBOTSFORD CLUB.

VOLUME FIRST.

PRINTED AT EDINBURGH.

M.DCCC.XXXVII.

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At a General Meeting of the ABBOTSFORD CLUB, *held at Edinburgh, the 9th day of July* 1837,

It was RESOLVED to print an ABBOTSFORD MISCELLANY, the preparation of which was committed to the SECRETARY.

THE

ABBOTSFORD CLUB,

M.DCCC.XXXVII.

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CONTENTS.

PAGE

I.—Selection from the Papers of the Family of Boyd of Kilmarnock

1. Mutual Agriement betwixt the Earles of Argyle and Arran, Bishops of Glasgow and Aberdeen, Robert Lord Boyd and Others, anent the Government of the King's person, Stirling, April 25, 1468, ... 5
2. Bond of Mutuall Assistance by Queen Margaret and the Lord Methven, her husband, to Lord Boyd, May 26, 1529, ... 7
3. Ane Contract of Agriement betuix vmquhile Hew Erle of Eglintoun and vmquhile Robert Lord Boyd, anent all qwarrels and sleighter of kin, May 2, 1530, . 9
4. Oblisement by the Earles of Argyle and Others, to warrand and assist Robert Boyd of Kilmarnock, in all the actions he shall have to do, 1543, . . 12
5. The Lard of Kelsolandis Band of Manrent, May 6, 1545, . . . 13
6. The Lard of Bichoptownis Band of Manrent, maid to Robert Maister of Boyd, December 30, 1546, ... 14
7. The Laird of Cauldwellis Band, and his Brether, gevin to Robert Maister of Boyd, December 3, 1551, ... 15
8. Agreement betuixt Mary Queen Regent, and Robert Lord and Master of Boids, for Mutwall Assistance aganis thair Enemies, November 6, 1557, . . 16
9. Archebald Kelsow, young Lard of Kelsolandis Band, October 17, 1558, . . 17

PAGE

10. Ane Mutuall Band betuix Hew Erle of Eglintoun, and Robert Lord Boyd, August 25, 1563, ... 18
11. The Band betuix my Lord Boyd and the Laird of Kylhirny, July 1567, . . 19
12. Ratification of the Procedings on Commission granted by Queen Mary to Lord Boyd and Otheris, to treat with the Queen of England, anent her and her affaires, February 9, 1568, ... 21
13. Commission by Queen Mary to John Bishop of Ross, and Robert Lord Boyd, to treat with Elisabeth, Queen of England, for assistance, May 18, 1569, . *ib.*
14. Mandate for the divorce of Queen Mary from the Earl of Bothwell, May 1569, . 23
15. Commissione by Queen Mary to Robert Lord Boyd, to treat with her subjects of Scotland anent ane reconciliation, June 4, 1569, ... 26
16. Agreement betuixt the Erles of Argyle, Marr, Mortoun, Cassills, Eglintoun, and the Lord Boyd, anent the troubles of the nation, August 12, 1571, . . 27
17. Remissio Roberti Domini de Boyd, et quorundam aliorum, September 8, 1571, . 29
18. Williame Farleis Band of Manreid, maid to Robert Lord Boyd, November 10, 1571, 31
19. The Lard of Fargushillis Band of Manreid, October 26, 1572, . . 33
20. Laird of Lochrigis Band of Manrent, gevin to Robert Lord Boyd, February 1, 1573, 35
21. Appointment betuix my Lord Boyd and the Laird of Rouallane, May 23, 1574, 37
22. Andro M'Farlanis of Arroquhairis Band of Maorent, gevin to Robert Lord Boyd, August 1575, ... 38
23. Laird of Camhustrodanis Band of Maorent, gevin to Robert Lord Boyd, January 20, 1575, ... 40
24. Band betuix Robert Lord Boyd and the Laird of Blair, for assisting others, March 2, 1575, ... 41
25. Adame Cunninghame of Cullellanis Band of Manrent, gevin to Robert Lord Boyd, May 19, 1576, ... 42
26. Laird of Ryisholmes Band, November 21, 1577, . . . 43
27. The Band of Freindschip maid betuix the Erleis of Eglintoun, Glencarne, and Robert Lorde Boyd, Lairdis of Lowdoun and Cragie, June 13, 1578, . . 44
28. Letter by my Lord Angus to my Lord Boyd, quhairby he promisses to send his servands to his Court holding, August 2, 1590, ... 47
29. Asslos Band of Maorent, February 10, 1590, ... 48

II.—Dispute between the Abbot and Convent of Lindores and the Inhabitants of Newburgh, 1309, ... 51

III.—Burlesque Seemon of the Fifteenth Century, ... 57

PAGE

IV.—Verses and Letter from Mr John Edmestoun to King James VI., November 15, 1607, 65

V.—Account of the Last Moments of Queen Anne of Denmark, . . . 77

VI.—Trial of Mungo Murray for Assaulting Thomas Sydserf, Comedian, June 4 and 11, 1669, ... 85

VII.—Brevis Narratio Martyrii Venerabilis Sacerdotis Thomæ Maxfieldii, . 97

VIII.—Epistolæ Virorum Clarorum ad Jacobum Sextum Britanniæ Regem, . . 103

1. Cornelius Drebbelius ad Jacobum Sextum, ... 111
2. Georgius Carleton ad eundem, ... 113
3. Joannes Camero ad eundem, ... 115
4. Joannes Barnesius ad eundem, ... 118

IX.—Virorum Doctorum Epistolæ, ... 121

1. Merici Causaboni Epistola ad quendam Episcopum, . . 125
2. Lancelotti Andrews, Episcopi Wintoniensis, Epistola ad Petrum Molinæum, . 126

X.—Joannis Hoskyns Supplicatio ad Regem, . . . 129

XI.—Trials for Witchcraft, Sorcery, and Superstition, in Orkney, . . 133

1. Marable Couper, July 7, 1624, ... 135
2. Anie Tailzeour, alias Rwna Rowa, July 15, 1624, . . . 143
3. Examination of the Charges of Witchcraft and Sorcery against Marione Richart, or Layland, before the Kirk-Session of Sanday, . . . 150
4. Trial of Marion Richard for Witchcraft, Sorcery, and Divination, May 29, 1633, 157
5. Katherine Cragie, alias Estquoy, June 16, 1640, . . . 164
6. Her Second Trial, July 11, 1643, ... 170
7. Jonet Reid, for Witchcraft, Charming, &c. July 12, 1643, . . 181

XII.—True Relation of my Lord of Warwick's Passage, 1627, . . 187

PAGE

XIII.—Award by James VI. as to the Succession to the Barony of Sanquhar, . 195

XIV.—Letters by James VI. to the Countess Dowager of Angus, . . 211

XV.—Letters of Thomas Lord Ellesmere, Lord High Chancellor of England, . 217

1. Lord Ellesmere to King James VI., October 10, 1608, . . 219
2. ———————————, November 28, 1608, . . 220
3. ———————— to John Murray, August 5, 1614, . . 222
4. ———————— and the Duke of Lennox to King James VI., December 7, 1615, 223
5. ———————— to John Murray, August 2, 1616, . . 225

XVI.—Letters and Papers relative to the History of Great Britain during the Reign of James I., ... 227

1. Examination of William Paulhill, taken the 13th day of November 1614, . 229
2. Sir Henry Montague to Viscount Fenton, November 15, 1614, . . 230
3. Sir Ralph Winwood to King James I., January 13, 1615, . . 231
4. Lord Norris to King James I., September 30, 1615, . . . 233
5. The Earl of Suffolk to John Murray, ... 234
6. Thomas Wilson to King James I., ... 235
7. A Memoriall for his Majestie to signifie his pleasure concerning some thinges about the Office of the Papers for Buisines of State and Councell, . . 236
8. The Earl of Hertford to King James I., March 28, 1616, . . 237
9. Sir Henry Montague to John Murray, August 10, 1616, . . 238
10. James Hudson to John Murray, ... 239
11. Anne Countess of Dorset to King James I., . . . 240
12. ———————————, ... 242
13. To the King's most excellent Maiestie, the most humble Petition of Henrye Earle of Oxenford, ... 244
14. Sir James Croft to King James I., ... 245
15. Application to King James I., [by Sir Edwin Rich?] . . 246
16. Frances Duchess of Richmond and Lennox to the Lord Gordon, . . 251
17. The Earl of Carlisle to King James I., . . . 252
18. Sir Edward Conway to [Viscount Annand?], March 9, 1623, . . 253
19. The Earl of Middlesex to King James I., September 27, 1624, . 255

PAGE

20. Seruices done for the Kinges Maiestie by Sir Lionell Cranfeild, . . 257
21. Sir Edward Zouche to King James I., ... 258
22. Sir Fulke Grevyll to King James I., . . . 261
23. The Dean of Salisbury to King James I., . . . 262
24. The Marquis of Hamilton to King James I., . . . 263

XVII.—Letters and Papers relative to Irish Matters, . . . 265

1. James I. to Lord Balmerino, January 16, 1604, . . . 267
2. —— to Sir Arthur Chichester, December 6, 1605, . . . 268
3. ——————————, April 16, 1606, . . . 270
4. The Offer of Sir Hugh Montgomery unto Sir James Hamilton, . . 273
5. The Lord Deputy Chichester to King James I., December 21, 1614, . 275
6. ——————————, September 22, 1615, . 278
7. Petition of Walter Earl of Ormonde, ... 281
8. A Brieff of such thinges as I doe most humblie desire your Maiestie to please to take into your royall consideration, ... 283
9. The Privy Council of Ireland to King James I., November 26, 1624, . 286

XVIII.—Satire against Scotland, 1617, ... 289

XIX.—Answer to the Satire against Scotland, ... 303

XX.—The Complaint of the Muses upon Sir William Alexander, . . 319

XXI.—Memoir of John Geddy, by Robert Mylne, Junior, . . . 325

XXII.—Correspondence between George Ridpath and the Reverend Robert Wodrow, 353

1. George Ridpath to the Reverend Alexander Wodrow, February 23, 1706, . 383
2. The Reverend Robert Wodrow to George Ridpath, April 17, 1706, . 385
3. George Ridpath to the Reverend Alexander Wodrow, April 19, 1706, . 388
4. George Ridpath to the Reverend Robert Wodrow, April 27, 1706, . 391
5. Reverend Robert Wodrow to George Ridpath, May 25, 1706, . . 393
6. ——————————, June 21, 1706, . . 395

PAGE

7. George Ridpath to the Reverend Robert Wodrow, August 3, 1717, . . 397
8. ——————————————————, ——— 10, 1717, . . 401
9. Reverend Robert Wodrow to George Ridpath, September 23, 1717, . . 403
10. Reverend Robert Wodrow to George Ridpath, March 20, 1719, . . 410
11. ——————————— to Mr Secretary Johnston, March 20, 1719, . . 411
12. ——————————— to E. Calamy, D.D., March 20, 1719, . . 413

XXIII.—Provost Drummond's Account of the Discussion in Parliament as to Campbell of Shawfield's Losses, ... 415

LIST OF THE PLATES.

I. Fac-simile of Mutuall Agriement betwixt the Earles of Argyle and Arran—to face the Boyd Papers.

II. Fac-simile of Autographs, . . page 105

III. Fac-simile of Letter by King James VI. to the Countess of Angus, ... 213

IV. Fac-simile of Autographs, ... 229

V. Fac-simile of the Complaint of the Muses upon Sir William Alexander, . . . 321

In presenting to The Members of the Abbotsford Club the First Volume of a MISCELLANY, the preparation of which was committed to his care, the Secretary deems it his duty to state, that, for the selection of its contents, illustrative remarks, and general superintendence, he is entirely indebted to Mr Maidment, whose friendly offices have spared him a duty which his numerous avocations at the time would otherwise have prevented him from discharging in a manner sufficiently satisfactory to himself and the Club.

Edinburgh, 67, Great King Street,
4th December 1837.

SELECTION FROM THE PAPERS OF THE FAMILY OF BOYD OF KILMARNOCK.

M.CCCC.LXVIII—M.D.XC.

Every one who has been engaged in the study of the History and Antiquities of Scotland, must often have had occasion to regret that so few of the valuable Documents known to be in existence in the Charter Rooms of our ancient Families, have been secured against the risk of destruction, and rendered accessible through the medium of the press. As it is one of the chief objects of our Association to attempt to supply this want, no apology seems necessary for commencing the Abbotsford Miscellany with a selection from the Papers belonging to the Family of Boyd—a family which has held so distinguished a place in the Annals of Scotland since the reign of The Bruce.

The originals have been in the custody of the Magistrates of Kilmarnock, from the period of the attainder of the last Earl of Kilmarnock, for accession to the Rebellion, 1745.

THE BOYD PAPERS.

I.—Mutual Agriement *betwixt the Earles of Argyle and Arran, Biſhops of Glaſgow and Aberdeen, Robert Lord Boyd, and others, anent the Government of the Kings perſon, and defending of and mutuall aſſiſtance in order thereto, dated at Stirling the* 25 *Apryle* 1468*; and by which it appears that the Government of the Kings perſon was given to my Lord Boyd by the King, with conſent of his Parliament, and which the King ſignes.*

At Striueling the xxv day of the moneth of Aprile the ȝere of our Lord I^{m} iiij^{c} fexty and aucht ȝeris At the bidding and command of oure ſouerane lord the King It is appointit and faithfully promyttit betvix Richt Reuerend faderis in Criſte Rycht noble and worſchipfull lordis vnderwrittin with thare awin ſubſcripcionys manuell In maner and forme as efter folowis that Is to ſay that thai and Ilkane of thaim ſal Remayn and abide with oure Souerane lord the King and Ilkane with vther in the furthputting of his autorite and miniſtracioune of Juſtice till all his lieges and Rewling and gouernyng of his perſoun autorite landis and gudis according til his eſtate Worſchip and honour at all thare power bathe with thare perſonys and gudis agane ony perſonys that wald tend in the contrare thereof And attoure the ſaid lordis bindis and obliſſis thame faithfully ilkane till vder that na ane of thaim ſal tak vpone hand to deliuer conclude nor end ony gret materis concernyng the King the

gude of the Realme or Juſtice withoute auiſe counſale and conſent of the Remanent of the Lordis being preſent for the tym And at thai ſal mak the materis that ſalbe deliuerit be the Lordis in tyme to cum be put to dew execucioune and na breking nor varians to be maid therupon withoute auiſe conſent and deliuerans of all the lordis being preſent for the tym And at all the materis that beis deliuerit and concludit be the lordis preſent ſalbe Ratifiit and approvit be thaim abſent As thai had bene preſent thereat And at thai ſalbe Ilkane lele and trew till vder and ſtand in afald lufe lavte frendſchip and kindneſs and manteyn ſupple and defend vtheris in all actiovnys cauſis and querellis lauchfull and honeſt defens of thare lifis landis heretaige Rovmys office and nane of thaim to heir ſe nor wit harme ſcathe dede nor diſherifing til vderis in ony wiſe bot thai ſal warne vtheris therof in dew tyme and let It at all thare power And attour the ſaid lordis lelely and trewly promyttis that thai ſall with all thare diligens aſſiſt to Robert lord Boid and ſupple him in the gouernyng of the Kingis perſone ſtrenthis caſtels houſis and all vther thingis grantit to him be our ſouerane lord in his parliament conteniť in the letres vnder the grete ſele maid to him therapon And at thai ſal Induce and perſuaid oure ſouerane lord to hald and ſchew his hart lufe fauouris and ſingulare tendernes to the ſaid Robert lord Boid And attour the ſaid lord Boid trewly promyttis that he ſal do the counſale and auiſe of the Remanent of the lordis of counſale vnderwritin in the Rewling of our ſouerane lordis perſone Juſtice autorite and gudis and do na grete materis concernyng his hienes and the gude of the Realme withoute their auiſe and deliuerans nor mak na varians nor breking in ony materis deliuerit be thaim withoute thair auiſe and conſent And gif It happynnys him as God forbeid to falȝe or cum in the contrare heirof he beand warnyt and Reprevit be the lordis quharein he falȝeis and nocht mendand nor Reformand It agane with thare auiſe It ſalbe than lefull to the Remanent of the lordis all or part to paſs thare way and be fre and diſchargit of this band And to the obſeruyng keping and fulfilling of all and ſindri the thingis abonewritin in all poyntis and Artikillis forſaid All the Lordis vnderwritin ar lelely and trevly bundin and oblift til our ſouerane lord and Ilkane till vder be the fathis of thare bodyis

the haly ewangelis be thame twichit And for the witneſſing heiroff has ſubſcriuit this lettir to endure vnto our ſouerane lordis aige of xxj ȝeris complete with thare awin handis day ȝere and place abonewritin.

De ſpeciali mandato noſtro

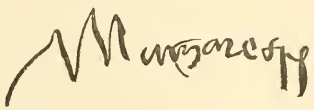
JAMES R

A Epus G°
Abbirdon̄ ẽ
Erl of Ergyle
Robert Lord Boyd
Erl of Aran
The Preve Sele Lyndsay
Archipus Quhytelaw

II.—Bond of Mutuall Assistance *by Queen Margaret and the Lord Methven, her Huſband, to Lord Boyd, dated* 26*th May* 1529.

Be It kend to all men be thir preſent letres Ws Margarete be the grace of God quene of Scotland with aviſe and conſent of our dereſt ſpous Hary Lord of Methven to be bundin and obliſt and be thir preſent letres the faith and treuth in our body lelely and trewlie bindis and obliſſis ws to our weilbelouit man and ſeruand Robert Boyd in Kilmernok fforſamekill as he is bundin and obliſt to ws in manrent and ſeruice firſt and befor all vtheris our dereſt ſone the kingis grace onelie exceptit for all the tyme and ſpace that he hes or happinnis to get or haue of ws takkis of our

landis and lordfchip of Kilmernok as at mair lenth is contenit in his letres of manrent maid and gevin to ws thairupoun Tharfor We and our faid fpous with our freindis men feruandis tenentis and all that we may fteir fal fupple mainteine and defend the faid Robert in the peciabill brouking and joifing of our faidis landis and lordfchip of Kilmernok during his takkis thairof gottin or to be gottin be him of ws of the famin and of all vtheris his takkis ftedingis rovmis poffeffionis cornis catell and gudis mouabill and vnmouabill quhatfumeuir and fall do for him and tak his afald leill and trew part in all his gud actionis cauffis and querelis lefull and honeft during the faid fpace aganis all that levis and de may our allegeance to our fouerane lord the king anerlie exceptit In witnes of the quhilk to thir our letres of mainteinance fubfcriuit with our hand our fignet is affixt togidder with the feill and fubfcriptioun of our faid fpous in figne of his confent to thir premiffis at Edinburgh the xxvj day of Maij The 3eir of God 1^{m} v^{c} xxix 3eris



III.—Ane Contract of Agriement *betuix vmquhile Hew Erle of Eglintoun, and vmquhile Robert Lord Boyd, anent all qwarrells and ſleighter of thair kin, dated* 2 *May* 1530.

Die lune 2° *menſis Maij anno Domini* I^{m} *v*^{c}*xxx.*

At Glasgw the ſecund day of Maij the ȝeir of God ane thouſand five hundrecht and thretty ȝeris We Robert be the permiſſioun of God biſchop of Argile Maiſter James Houſtoun ſubden of Gleſgw Colyne Campbell of Airchynglaſs James Coluill of Wchiltre Patrik Maxwell of Newerk and Johne Lockert of the Bar Jugis arbitouris and amicable componitouris choſyng betwix Hew Erle of Eglynton his barnis breder kyne freyndis feruandis and tennandis for the ta part and Robert Boyd in Kilmernok Mungw Mure of Rowallan thar barnis breder kyne freyndis feruandis and tenandis for the tother part; the faidis pairteis beand bund oblift and ſworn til abyd vnderly and fulfill our ſentence decreit deliuerance anentis all ſlauchteris ſpulȝeis debatis actionis contrauerſiis cauſis and querellis quhatſumever that athyris of the faidis pairteis had aganis wtheris in all tymes bigayne on to the dait of thir preſentis and ſpecialie anentis ane honeſt affȳthment to be modyfyit be ws to the ſaid Robert for the ſlauchter of his cheif and ſiclik anentis the ſtedying of the law, We takand the faidis materis in and apon ws and beand oblift and ſworn to decreit and deliuer thairapon and the faidis pairteis beand oblift and ſworn as ſaid is till abyd and fulfill our ſentence without reuocatioun or Reclamatioun We beand weill and riply awiſit herein all agreand and concurrand in a voce decretis deliueris and for finale ſentence arbitrale pronuncis with conſent and aſſent of the faidis pairteis that the ſaid Hew Erle of Eglyntoun ſal gif pay and deliuer to Robert Boyd in Kilmernok and Mungw Mwr of Rowallan the ſovme of tua thouſand merkis of the quhilk ſovme the ſaid Mungw ſal haif tua hundretht merkis to be payit at thir

termes vndervritin viz. at Witſonday nixt efter the dait of thir preſentis five hundretht and at the nixt Mertymeſs thairefter five hundretht merkis and faſurtht terme be terme Witſonday and Mertymeſs ay and quhill the compleit payment of tua thouſand merkis be payit to the faidis Robert and Mungw as ſaid is And alſe the ſaid Hew erle of Eglyntoun ſal diſcharge all aſſythtmentis of ſlauchteris bygayne ſpulȝeis debatis querellis contrauerſiis and actionis quhatſumeueris committit be the faidis Robert Mungw and thair foirſaidis apon the ſaid Hew erle of Eglyntoun and his foirſaidis of al tymes bygayne on to the dait of thir preſentis And attour the ſaid erle of Eglyntoun ſal gif our his entreſs rycht and kyndneſs fra him and his of the ſtedyng of the Law with the mylne and pertinentis of the ſammyne to the ſaid Robert at the nixt Witſonday nochtthelefs the corne and gudis apon the ſaid ground and proffet of this crop corn and beyr ſal perteyne to the ſaid erle ffor the quhilkis abonwritin the ſaid Robert for his breder barnis kyne freyndis ſall gif his and tharis hartly kyndneſs to the ſaid erle and his foirſaidis and Remitt al ſlawchteris bigayne and ſpeciale the ſlauchter of the faidis Robertis cheif and ſal gif the ſaid erle his letteris in dew forme of ſlanys or aſſythtment at the pleſour of the ſaid erle And alſe the faidis Robert and Mungw for thaim ſelf thar barnis breder kyne freyndis ſeruandis and tennandis ſal diſcharge the ſaid erle of Eglyntoun and his foirſaidis of al aſſychtmentis or ſlawchteris bygayne ſpulȝeis debatis querellis contrauerſiis and actionis quhatſumeuer committit be the ſaid erle and his foirſaidis apoun the faidis Robert and Mungw and thar foirſaidis and ſpeciale committit in quenys landis and barony of Rowallan at the feige of Kilmernok and of the wptaking of the proffettis of the malying of the Law mylne and pertinentis of the ſammyn of all ȝeris bygayne And alſe the ſaid Robert ſal God willing mary his ſone and apperand air apoun ane of the ois of the ſaid erle of Eglyntonis quhilk is maiſt conuenient as the faidis pairteis can agre and the tochyr to be modyfyit be the ſaid erle Robert and thar freyndis And alſe the ſaid pairteis ſal ſtand in vnite concord and hartly kyndneſs till wtheris and ſal tak wtheris partis fathfully in all thar actionis querellis cauſis contrauerſiis and debatis quhatſumeuer movit or to be movit lefull and honeſt aganis quhatſumeuer

perſoun or perſonis our ſouerane lord exceppit And gif it ſal happin ony of the ſaidis pairteis kyne freyndis ſeruandis or tennandis to debait or diſcord in ony maner of way the pairty committand the ſaid debait or diſcord ſal be deliuerit to the pairty that is hurt and to thar freyndis quhill the ſaidis pairteis conueyn apon xv dais warnyng for redreſs and pvnycioun of the ſammyn And gif the ſaid committar can nocht be apprehendit bath the ſaidis pairteis ſal concur in contrar of the ſaid brekar and tak a pairt aganis him and the ſaid diſcord to be Reput nor imput na breik to the ſaidis pairteis to be redreſſit as ſaid is And alſe the ſaid erle and his foirſaidis ſal fynd ſufficient cautionaris for the kepyng and warrandyſs of thir premiſſis abon writin And gif it ſal happin as God forbeit it do ony of the ſaidis pairteis to breik in tyme cummyne the pairty brekar ſal content and pay to the pairty kepand the ſovme of four thouſand merkis within xx dais eſter that it be notourly knawin for coſtis dampnage and redreſs ſuſtenit thairthrow And this decreit to be inſert in the officialis bukis of Glaſgw and the ſaidis pairteis and cautionaris to be moneſt to obſerue the ſammyn In witneſs of the quhilk thing athir of the ſaidis pairteis and Jugis hes ſubſcrivit this decreit with thar handis day ȝeir and place foirſaidis befor thir witneſes Johne Somerwill of Cambuſnethane Thomas Ralſton of that Ilk Williame Walles tutor of Cragy Williame Boyd of Badynhaicht James Somerwell perſon of Libertoun Johne Lyndeſay of Covyntoun Hew Mungumry of Heſſilheid Alex^{r} Dunlop of that Ilk Adam Mungumry and Maiſter Andro Mungumry vicar of Stewarton with otheris diuerſis.

Sequitur tenor ſubſcriptionis partium.

Erle of Eglyntoun Robert Boyd of Kilmernok with my hand on the pen Mungw Mwr of Rowallan with my hand Robert biſchop of Argile, Maiſter James Houſtoun with my hand Colyne Campbell of Arkynelais James Coluill of Wchiltre Patrik Maxwell of Newerk Johne Lockert of Bar *Judex vero interponendo vices ſuas ex propriis confeſſionibus et conſenſibus domini Hugonis comitis de Eglyntoun principalis Necnon Alexandri Dunlop Hugonis Mungumry de Heſſilheid et Thome Ralſton de eodem ſecuri-*

tatum pro eodem Necnon Roberti Boyd et Kentigerni Mwr de Rowallane principalium necnon Patricii Maxwell de Newerk Jacobi Coluill de Wchiltre et Johannis Lockert de Bar ſecuritatum pro eiſdem mouerit eoſdem conjunctim et diuiſim renuncian. beneficio diviſionis ad perimplend. et obſeruand. premiſſa in ſingulis ſuis punctis et hec primo, ſecundo, tertio, et peremptorie ac ſub excommunicationis pena.

THOMAS HAMMYLTOUNE *notarius publicus ac ſcriba curie conſiſtorialis Glaſguenſis manu propria.*

IV.—OBLISEMENT *by the Earles of Argyle and others to warrand and aſſiſt Robert Boyd of Kilmarnock in all the actiones he ſhall have to do, dated the year* 1543.

WE lordis wnderwryttin conuenit at Lynlythgw at the feſt of the Magdelen in the ȝer of God 1^{m} v^{c} xliij ȝeris efter conſultatioun wyth ane mynd and conſent for gud and ſufficient rationis moowand ws thairto byndis ſtraytle and obliſſis lellele and trewle be the fayth and trewth in our bodiis ws and our airis to defend and warrand our tender and ferwiabill frend Robert Boid of Kylmarnok and his airis in all actionis quhilk the ſaid Robert or his airis ſall happin to haif a do in tymis cummyng and ſpecialle anent the takkis and rowmis of Kyllmarnok In witnes of the quhilk thing We haif ſubſcriuit this our preſent obligatioun wyth our handis tym and plais aboun exprimit

DAUID CARD^{LIS} S^{TI} ANDREE
ERLL OFF HUNTLY
ERLL OF ARGYLL
MATHW ERLL OF LENOX
PATRIK ERLE BOTHUILE
ERLL OF MONTROſ
JHON LORD ERSKIN.

V.—The Lard of Kelsolandis *Band of Manrent.—6th May* 1545.

At Kilmernoke the faxt day of Maij in the ȝeir of God I^{m} v^{c} xlv ȝeris It is appoynttit concordit and fynalle endit betuex honorable perſonis That is to faie Robert Lord of Kilmernoke Robert Boid of the Glen ſone and apperand air to the ſaid Lord and Johne Kelſo Lard of Wnyr Kelſoland That is to faie the ſaid Johne Kelſo byndis his band of manrent for all the dais and termys of his lyiftyme to the faidis Roberttis aganis quhatſumeuerie perſon or perſonis oure ſouerane Ladie and hir autorite allanerlie beand exceppit And ſicklike the faidis Roberttis ſall manteyne and defend the ſaid Johne Kelſo in the ſammyn manyr eftir thar power and We the faidis Roberttis ſall make the faids Johnys expenſſis quhen he is in our ſeruice be oure cummand And the ſaid Johne ſall make us ſeruice on his awyn expenſis quhen oure ſouerane Ladeis chargis cumis to wifs on hir autorite or autoriteis For the quhilkis cauſſis aboue expremyt the faidis Robert Lord of Kilmernoke and Robert Boid his ſone and apperand aire ar contentit till gife to the ſaid Johne Kelſo of Kelſoland for his band of manrent and ſeruice twentye four bollis of meill ȝeirlie for all the dais of the ſaid Johnys lyiftyme and in defalt of the meill till paye hym the feyre of Gleſgew and athir of the ſaid pairteis ar bwnd and obleſt till meit within xv dais till put thir indentouris in beſt and ſickeraſt forme can be dewyiſſit And for the mayr vareſicatioun athir of the faidis pairteis hes ſubſcriuit thir indentouris day ȝer and place forſaid befor thir witnes James Coninghame of Skelmurlie Thomas Boid of the Lyn Allexander Boid and Sir William Wricht chaplane with uderis diuers.

I Robert Lord of Kilmernoke with my hand at the pen led be Sir William Wricht chaplane.

Jhone of Kylſo of that Ilk.

Robert Boyd of the Glen.

VI.—The Lard of Bichoptownis *Band of Manrent maid to Robert Maiſter of Boyd.*—30*th December* 1546.

Be it kend till all men be thir preſent lettres me Jhone Briſbane ȝoung Lard of Biſchoptoun to be bundin and oblift and be the fayth and treuth in my body in manrent bindis and obliffis me lelely treuly and faythfully to becum man and feruand to ane honorable man Robert Maiſter of Boyd ffor all the dayis termes and ȝeris of Jhone Briſbane now Lard of Biſhoptoun my faderis lyftyme And I fall do him the beſt ſeruice I can quhen I am chargit or requyrit thereto and ryd or gang with him in his houſhald and tak his leill trew and afald pairt aganis quhatſumeuer perſoun or perſonis our ſouerane Lady the Quene and hir auctorite alanerly exceptit And fall nother heyr his ſkayth be nycht nor be day bot I fall defend and latt it at my vtter power and quhair I may nocht ſtop the famyn I fall warn hym thereof other be my ſelf or be ſum immediat perſoune gangang betuix And fall counſeill his counſaill he ſchawis me and gif him the beſt counſaill I can quhen he chargis me And fall reſaif him and his ſeruandis in my houſſis bigingis and ſtrenthis and defend thame therin at my vtter power And heirto I bind and oblifſe me as ſaid is to keip all and ſundry the premiſſis during the ſpace forſaid vnder the panis of perjure inhabilitie and defamatioun And hes gevin my bodely ayth thairto In witnes heirof I haif ſubſcriuit this preſent band of manrent with my hand At Irwin the penult day of December the ȝeir of God I^{m} v^{c} fourty and ſax ȝeris Before thir witneſſis James Cunynghame Thomas Boyd Mongo Hunter and William Kyle with utheris diuers &c.

Jhon Brisbane,
with my hand.

VII.—The Laird of Cauldwellis *Band and his Brether gevin to Robert Maiſter of Boyd.—3d December* 1551.

Be it kend till all men be thir preſent lettres Ws Johne Mure of Cauldwell William Mure in Glanderſtoun Conſtyne Mure in Boghall Hector Mure in Beitht Archibald Mure and James Mure breder to the ſaid Johne Mure of Cauldwell to be boundin and obliſt and be the tenor of thir preſenttis bindis and obleſis thame and ilkane of thame be the faitht and treutht in thair bodeis that thaj fall tak ane trew and afald part with Robert Maſter Boyd and his ſervandis in all his and thairis juſt and leſum actiones aganis all deidlie our ſouerane Lade and hir auctorite being acceptit allanerlie And ſall neuer wit the ſaid Robertis Maſter of Boyd nor his forſaidis ſcaith bot ſall aduerteis thame and ſtoip the ſamin at thair pouer In witnes of the quhilk thing I the ſaid Johne Mure and the remanentis that culd wryit hes ſubſcriuit this preſent writ And thai that culd nocht ſubſcriue hes tuechit the pen led be the notar wnderwrittin At Glaſgw the thrid day of December the 3eir of God I^{m} v^{c} fifty ane 3eris Befoir thir witnes Johne Summervell of Camnethane Charlis Mouet of Buſbe Alexander Conynghaim of the Hill and Johne Mure Bail3e of Glaſgw with utheris diuers etc. etc.

John Mure of Callwall with my hand.
I Wyl3em Mure of Glanderſton.
I James Mure with my hand at the pen.
Ita eſt Joannes Mure notarius publicus
ex mandato dicti Jacobi manu propria.

VIII.—Agreement *betuixt Mary Queen Regent and Robert Lord and Maſter of Boids for mutwall aſſiſtance aganis thair Enimies, dated the 6th November* 1557.

Regina

We Marie Quene Dowreare and Regent of the realme of Scotland Forſamekle as our couſing Robert Lord Boyde and Robert Maiſter of Boyde his ſone and apperand air hes bundin and obliſt thame and thair airis to mak gude trew and thankfull ſervice be thame ſelfis thair kyn freindis aſſiſtaris pairtakkaris and ſervandis ane of thame quha is maiſt hable to ſerve being preſent for the tyme To our dereſt dochter and ws at all tymes quhen thai ſalbe requirit in all and quhatſumevir actionis or cauſſis concerning ws or athir of ws And in ſetting fordwart maintein-ing and defending of our ſaid deireſt dochteris autoritie and ouris regent in hir name and all the effaris of the realme at thair power in tyme cuming ay and quhill hir grace be xxiiij ȝeris of aige complete as thair lettres obligatouris maid thairvpone mair fullely proportis Thairfoir We promit *in verbo reginali* That gif it falhappin our ſaid couſing Robert Lord Boyde Robert Maiſter of Boyde or athir of thame or thair airis or thair kyn freindis aſſiſtaris pairttakaris men tennentis or ſervandis or ony of thame to be invadit moleſtit troublit or perſewit be ony perſone or perſonis in thair bodyis landis or gudis or thair caſtellis towris houſſis rowmes ſted-ingis or poſſeſſionis quhatſumeuir to be reft takin ſpulȝeit detenit or with-haldin fra thame or ony of thame at occaſioun and for thair aſſiſting ſerv-ing and defending of our ſaid derreſt dochter and ws in our autoritie and effaris as ſaid is In that caiſe We ſall ſupple reſkew manteine ſuppoirt and defend thame thairin And in recovering of thair caſtellis houſſis rowmes ſtedingis and poſſeſſionis gif ony ſalbe takin fra thame with oure autorite of the realme and vtherwayis gif neid beis at oure power And this we promit *in verbo reginali* as ſaid is be thir preſentis Sub-

ſcriuit with our hand and vndir our ſignet At Edinburch the ſext day of Nouember The ȝeir of God I^{m} v^{c} fifte ſevin ȝeris.

Marie R.

IX.—Archebald Kelsow, *young Lard of Kelſolandis Band.*—17*th October* 1558.

Be it kenit till men be thir preſent lettiris me Archebald Kelſow ȝowng Lard of Kelſowland to becum man and ſervand and be thir preſenttis becumis man and ſervand to ane nobill Lord Robert Lord Boyd for all the dayis and termis that I ame ȝownge Lard and byndis and obliſſis me to ryd and gang wyth the ſaid Lord als ofte and quhat tyme that I ame requyrit thairto and at I ſell nower wit heir nor ſee the ſaid Robert Lord Boydis ſkayth bot I ſell adwerteiſe hyme thair of and ſtopp it at my power and als ſell gif the ſaid Lord the beſt cownſell I cane quhen he requyris me and ſell conſeill the cownſell that he ſchawis to me and reſſaue the ſaid Robert Lord Boyd in to my howiſſis and fortulageis in his tyme of neid and miſter and ſell debait hyme thairinto at my wtir power And ferder I the ſaid Archebald Kelſo bindis and obliſis me that in tyme of weir and gatheringis to ſerue and accumpany and plaine pairt tak wyth the ſaid Lord aganis quhatſumeuer perſowne or perſownis that the ſaid Lord hes ado wyth and that wyth all my kine freindis ſervandis and tenandis bayth of my faderis and my awin that I may raiſs and that one my awin expenſis aganis all perſownis as ſaid is our ſouerane Lady and hir actorate allanerlye beand exſeptit For the quhilk cauiſis the ſaid Robert Lord Boyd bindis and obliſis hyme to pay ȝeirly to me ane chaldir of meill ȝeirly induirand my ſervice the firſt payment to be maid at the Candilmes nixt thair eſtir and ſell mak my expenſſis at all tymes that he chargeis me to ſerue hym excep in tyme of weir and gathering and als ſell fortefee and mantene me in all my cauiſis and querrellis lefull and honeſt For obſerving and fulfillyng

of this my band of manrent I oblis me faythfully heir to and is fworne wpone the haly ewangell and ficlyk the faid Robert Lord Boyd hes bound and obliffit hyme for the fulfillyng of his pairt And for the mair waryfecation of the famyne the faid Robert Lord Boyd and the faid Archebald Kelfo hes fubfcrywit this prefent band wyth thair awin handis at Corfbe Conynghame the xvij day of October in 3eir of God ane thowfand fyve hundryth fifte aucht 3eris befoir thir witnes Thomas Maifter Boyd Johne Crawfurd 3ownger of Crawfurdland Robert Colwill Archebald Kelfo in Newfyd Wil3eme Blayr.

R. Lord Boyd.
Archbald Kelso 3owng Lard of Kelfoland.

X.—Ane mutuall Band *betuix Hew Erle of Eglintoun and Robert Lord Boyd.*—*25th Auguft* 1563.

At Glefgw the xxv day of Auguft the 3eir of God I^{m} v^{c} and fextie thre 3eiris Forfamekle as ane nobile and mychty Lorde Hew Erle of Eglintownne Lorde Mwngwmry vpone that ane pairt Robert Lorde Boyide vpone the wther Wnderftandinge and perfitlie knawinge the greit luf fauoure kyndenes and beniuolence quhilkis hes beyne in tymeis paft betuex the faidis erlis grandfhir and fadir and the faidis Robert Lorde Boyidis fadir and hym felf And now the faidis Hew Erle of Eglintownne and the faidis Robert Lorde Boyid willinge and myndeing that fiklyk fauour amitie and kyndenes ftande and remayne betuex thame thair kyn frendis and Surnames And to haif the famyn newlings renouat ar bwndyn and oblift athir till wthiris be the faitht and trewitht in thair bodyis vpone lawtie credet and honoure to tak ane leile trew and afalde pairt ilkane of thayme with wtheris with

thair haill poweris in quhatfwmeuyr actiounes cawfis querellis debaitis and contrauerffis mouit or to be mouit be thayme or athir of thame in contrar quhatfwmeuyr our fouerane Lady and hir autoritie alanerlie exceptit And fall affembile and acumpany togiddir in all raidis Iurnayis armeis conuentiouneis and affembleis fyklyik as thair fadiris did of befoir and in the fammyn maner And ilkane of thayme to gif leile trew and afalde counfell athir till wthiris in all thair effaris lefwm and honeft and conceill the fammyn confell fchewin and rauelit and fall nowldir heir nor fe wtheris fkaithtis in thair bodyis landis rowmeis poffeffiones honouris officeis nor gudis bot fall mak ftop thairto reveile and relleif the famyn and let it at thair poweris And thir prefentis duringe the dayis and termeis of athir of thair lyiftymeis to indure In witnes of the quhilk the faidis Hew Erle of Eglintoune and the faidis Robert Lorde Boyide hes fubfcriueit thir prefentis with thair handis Interchangeabillie At day 3eir and place foirefaidis befoir thir witnes Hew Mwngwmry of Hefilheide Maifter James Boyide fone to Adame Boyid of Penkile Johne Mwngwmry brother to James Mwngwmry of Brigeende and Williame Hegait noter with wtheris diuerfis.

Eglynton.
R. Boyd.

XI.—The Band *betuix my Lord Boyd and the Laird of Kylbirny.* —*Jully* 1567.

At Ryifholme the xviij day of Julij the 3eir of God I^{m} v^{c} threfcoir fevin 3eiris. It is agreit contractit and faythfullie promittit betuix thir pairteis viz. ane noble and potent Lord Robert Lord Boyd on the ane pairt and Hew Craufurd of Kilbyrnye on the othir pairt in maner following That is to faye the faid Hew Craufurd byndis obliffis and faythfullie promittis that he his freindis fervandis tennentis and pairtaikeris fall

accumpany ride gang and affiſt with the ſaid Lord in all kynde of lefull conventionis bayth in the authoriteis weiris and all othiris his particulair actionis aganis quhatſumeuer perſone the Quenis Maieſtie onlie except and that for all the dayes of the ſaid Hewis lyiftyme. And ſiclyke the ſaid Lord bindis obliſſis and faythfullie promittis to defend manteine and affiſt with the ſaid Hew with him ſelf his fervandis and freindis in all his cauſſis lefull and honeſt aganis quhatſumeuer perſone the ſaid Quenis Maieſte except. And als gif it fortunis the ſaid Hew to deces afore Iſobell Barclay his ſpouſe the ſaid Lord bindis and obliſſis him to defend hir and the bairnis gottin or to be gottin betuix hir and the ſaid Hew in all actionis cauſſis and debaittis lauchfull and reſſonable aganis all perſones as ſaid is during his lyiftyme. To all the quhilkis premiſſis bayth the ſaidis pairteis hes faythfullie promittit to abide during thair lyiftymes In witneſs of the quhilk thingis thaj haif ſubſcriuit thir preſentis with thair handis day ȝeir and place foirſaidis Befoir thir witneſſis Thomas Maiſter Boyd Hew Montgomery of Heſſilheid Maiſter James Boyd of Trochrig Hew Craufurd in Newſide James Boyd ſone and apperand air of Thomas Boyd of Kippis and Cuthbert Craufurd of Auchincloiche with otheris diuerſe.

R. Boyd.
Hew Craufurd of Kylbirne.

James Boyd as witneſs.
Thomas Boyd as witnes.
M: Ja: Boyd of Trochrig as witnes.
Hew Montgomery of Heſſilheid as witnes.

XII.—Ratification *of the Procedings on Commiſſion granted by Queen Mary to Lord Boyd and otheris to treat with the Queen of England anent her and her affaires, dated the 9th February* 1568.

Marie be the grace of God Quene of Scottis and Dovarier of Fraunce Forſamekle as we apointit our traiſt couſignis counſalouris and freindis Johnne Biſchope of Roſs Williame Lorde Levingſton Robert Lord Boyde Johnne Lord Herys Gawyne Commendatar of Kilvynnyng Johnne Gordon of Lochinvar knycht James Cockburne of Skirling knycht Oure Commiſſioneris to treate for ws and for our effaris with our derreſt ſiſter the Quene of Ingland or hir Commiſſioneris at the citie of Yoorke or in onie vther place within the Realme of Ingland quhair it pleſit hir to apoynt, We haveing pervſed thair procedingis and vnderſtanding thair faythfull mynde and trew feruice thairintill dois verie weill allow thairof quhilk we make notifiit be thir preſentis Gevin vnder our Signett and ſubſcriuit with our hand At Tutberrye the nynt day of Februar the ȝeir of God I^{m} v^{c} thre ſcoir aucht ȝeiris and our Regnne the tuentie ſevint ȝeir.

Marie R.

XIII.—Commission *by Queen Mary to John Biſhop of Roſs and Robert Lord Boyd to treat with Eliſabeth Queen of England for aſſiſtance, dated* 18*th May* 1569.

Marie be the grace of God Quene of Scottis and Dowarier of France To all and ſindrie quhais knawledge thir preſentis ſall cum Greting in

God euerlefting. Forfamekill as We being movit with the greit truft and confidence quhilk we hade and hes in the rycht hiegh rycht myghty and excellent princes the Quene of England our derreft fifter and maift tender coufignes in the warld of bloode Come in this hir realme of England hoiping thairthrouch and for the mvtuale freindfchip and amytie keipit and intertenyet amongis ws, to obteane fupport of hir aganis certane our vnnaturall and difobedient fubiectis quha hade not allanerlie Imprefonit our perfoun bot alfo did that was in thame to tak awaye our lyfe, vfurpit our authoritie and yeat vndewtifully maligpis thairvntill And thairfoir be hir only ayde and fupport to caufe thame recognofce there dewitie to ws as to there naturale fouerane Lady and princes, that we might enjoy our realme in quyetnes according to our calling be God thereto And we ftaying our felff alhaill and depending therevpoun hes diferrit to defyre or refave ony fupport of vtheris princes our gud freindis allyas and confideratis Remaning and avaiting in this our gud fifteris realme the fpace of Tuelf monethis bygane And now looking for ane gud and finale refolution at hir hand hes therefor vpone the certane knawledge that we haif of the fidelitie wifdome and circumfpectioun of our right trufty and weilbelouit counfalours Johne bifchop of Ros and Robert Lord Boyd Made conftitute and ordanis, and be thir prefentis makis conftitutis and ordanis thame or ony ane of thame Our Commiffioneris Geving granting and committing to thame or ony ane of thame our frie full powar commiffioun authoritie and commandiment generall and fpeciall for ws and in our name To pas to the prefens of our faid derreft fifter the Quene of England and there in maift hartlie and effectuous maner to defyre hir to gif ws hir gud ayde favour and affiftance, be the quhilkis we maye with expeditioun be reftored to our realme of Scotland authoritie, eftait, croun, and gouernement thereof and to peceably enjoye the famyn, according to our vocatioun as vndoutit Quene and Souuerane thereof. Quhilk ayde we maift hartlie and earniftlie crave, and defyres of hir before all vtheris princes, and to quhome nixt vnder God we will think ws therfor maift addettit and obliffit, quhilk we hoip affuredly to reffave at hir handis, for the quhilk we are willing to do ony thing that lyes in our powar (Our Croun honour

and eſtait being refervit) quhilk maye be to hir pleaſour contentment and for ſure keiping of freindſchip and amytie in tyme cuming, Apoun the quhilkis and all vthiris purpoſes tending to the glorie of God, conferming and menteining of band and treatie of peax amity and freindſchip, betuix our ſaid gud ſiſter and ws our realmes dominions and ſubiectis thairof As apoun all uther controverſeis in tymes bygane and preſent We gif our ſaidis counſalouris and commiſſioneris or ony ane of thame Our full powar and Commiſſioun in our name to commoun treat and conclude with our ſaid derreſt ſiſter or with the Lordis of hir maiſt honorabill counſale to be appoyntit to that effect And thairapoun contract and Indent in maiſt ſure and ample forme And als towart the contrauerſie ſtanding betuix ws and certane our diſobedient ſubiectis, at the ſycht and pleaſour of our ſaid derreſt ſiſter to extend our clemencie towartis thame. And generally to do all thingis concerning the weill of ws and our cuntrey as thay or ony ane of thame ſall think expedient. And quhat our ſaid Counſalouris and Commiſſioneris or ony ane of thame aggreis to in our name We promeis vpone the word of ane prince to hald ferme and ſtable, ratifie and approve the ſame Inviolablie to be obſervit in all tymes cuming. In witnes of the quhilk We haif ſubſcriuit thir preſentis with our hand and hes cawſit affix our Signet thairto At Wyngfield the xviij daye of Maye the ȝeir of God I^{m} v^{c} threſcoir nyne ȝeiris and of our Regne the xxvij ȝeir.

Marie R

XIV.—Mandate *for the Divorce of Queen Mary from the Earl of Bothwell, May* 1569.

Marie be the grace of God Quene of Scottis and Dowarrier of France To all and ſindrie quhais knawlege thir preſent letteris ſall cum Greting in God everleſting Forſamekill as we ar crediblie Informit be ſindrie and divers noble men of our realme that the pretendit mariage fumtyme

contractit, and in a maner folempnizat betuix ws and James Erle Bothuell, was for divers refpectis vnlauchfull and may nocht of guid conſcience nor law ſtand betuix ws (albeit it ſeemit vtherwayis to ws and our counſall at that tyme) conſidering thairfor with our ſelf, and thinking that the ſamen dois tuitche ws ſo hiechlie in honour and conſcience that it daylie and hourlye troublis and wexis our ſprite, quhairthrough we ar movit to ſeik remedy thairfor, For this caus we haif aſkit counſall of the gretaſt clarkis, beſt learned and expert doctouris in diuine and humane Lawis, as we could haif in dyvers cuntreys, be quhome we are aſſuretlie informit and certanelie perſuadit that the ſaid pretendit maryage is one na wayis lauchfull, nor can in ony wayis be the lawis be menteinit as guide Nocht onelie becaus that he wes befoir contractit to ane vther wyf and he nocht lauchfullie diuorcet fra hir, bot alſo (althocht we war Informit thair wes na Impedyment) ȝit thair wes dyvers gret Impedimentis of affinitie and vtherwayis ſtanding betuix ws quhilkis gif thay haid bene knawin to ws wald haif maid lett and Impediment to our procedingis And now being revelit to ws are ſufficient to mak ws cleirlie vnderſtand we may be ſeperatt fra him be the lawis for . . . . . atione of our . . . . mynd and will to . . cord to all thingis quhilk is baithe g . . . . . honorabill, for diſcharge . . . . . conſcience releif of our troublit and afflictit ſprite in that behalf As alſo for the declaratione of our awin honour and contentatione of our eſtaittis and guide ſubiectis of our realme We of our awin motive frie will and mynd haif maid conſtitute nominat and ordanit and be the tenour of thir preſentis makis conſtitutis nominattis and ordanis Oure weilbelouitis

Oure verray lauchfull vndoutit and irrevocable Commiſſionaris procuratouris, actouris, factouris and ſpeciell eirand beraris Givand grantand and committand vnto thame and ilkane of thame conjunctlie and ſeueralie Our full powar expreſs command and charge for ws and in our nayme, to compeir befoir ane reverend father in God Johne Archiebiſchop of Sanctandrois primat and legat of our realme, or any of his Commiſſaris or Juges depute or to be depute be him to that effect Or

befoir the Commiſſaris of the ſpirituall Juriſdictione and conſiſtorie of Edinburgh, or ony uther Juge or Juges ſpirituall or temporall quhatſumevir, ather within our realme of Scotland or vtuithe the famin haiſing powar to the effect vnder written within the toun of Edinburgh or quhatſumevir place or places within or without our realme as ſaid is, quhatſumevir day or dayis And thair to reſſave ſummonis in ordour of law, ſummoning all thame quha hes entres And to propone ane cauſe of diuorce in oure nayme contrary the ſaid James Erle Boithuell for ſic impedimentis as lauchfullie may be proponit and thairapoun lybell and petitione to gif in Or incaiſe the famin ſal happin to be perſewit be the ſaid James or ony vtheris to anſwer thairto in forme of law for ws exceptionis alſueill dilatouris as peremtouris to propone reply duply and uther defences to exhibite, Liteſconteſtatione to mak wit . . . Inſtrumentis and all kynd of probatione to lead exhibite and produce . . . . . Interloquitouris and diffinitiues to . . . . to be pronouncet And thairapone actis and inſtrumentis to tak aſk and req . . . . Letteris teſtimoniellis of the decreit in forme as effeiris to lift and obtene And generallie to do all maner of thingis in perſewing of the ſaid cauſe of diuorce or anſuering thairto as gif we war our ſelf in jugement at everie diet in proper perſone. Promiſeing faythfullie in the word of a Princes we ſall hald ferme and ſtable all and quhatſumevir thingis our faidis Commiſſionaris and procuratouris or ony ane of thame ſall do in our name and behalf in the premiſſis vnder the pane of perjury and infame And nevir ſall cum in the contrar thairof In witnes of the quhilk we haif ſubſcryuit this preſent procuratorie with our hand and hes cauſet our Signet to be affixit thairto, quhilk we will to be als ſufficient as oure gret ſeall war affixit to the famin. At Vingfeild the day of May in the ȝeir of God ane thouſand fyve hundrethe thre ſcore nyne ȝeiris and of our Regne the xxvij ȝeir befoir thir witneſſes Oure treſt couſing and counſellour Robert Lord Boyd our familiar ſervitouris Johnne Betoun of Lochuod ane of our maiſteris of houſhald, James Borthuik ane of the maiſteris of our curye Raulet our ſecretar and James Boyd of Kipps

Marie R

XV.—Commissione *by Qween Mary to Robert Lord Boyd to treat with her Subjects of Scotland anent ane Reconciliation, 4th Jun* 1569.

Marie be the grace of God Quene of Scottis and Dowarier of France To all and fyndrie quhais knawledge thir prefentis fall cum Greting in God ewerlafting. Forfamekeill as We being movit with the greit luiff and affectioun quhilk we beir to our naturale realme and of the petie and commiferatioun that we haif to vnderftand that our maift obedient and affectionat fubiectis ar now myferably oppreft and molleftit. We will (gif it be poffible) prefer the reft and tranquillitie of thame and of our haill realme to all uther thing, quhairto we maye condefcend with our honour confervatioun of our eftait and libertie of our faid realme Quhairfoir nochtwithftanding the indignations and grevous offences quhairby we haif bene provokit to juft anger aganis fum quha ar inobedient fubjectis vnto ws We ar content and defyris to vfe the waye of meiknes and benevolence towartis all man And thairfor vpone the certane knawledge that we haif of the fidelitie vifdome and circumfpectioun of our Richt trufty and weilbelouit coufigne and counfalour Robart Lord Boyd, hes maid conftitute and ordanit and be thir prefentis makis conftitutis and ordanis him Our Commiffioner Geving granting and committing to him our frie full powar, commiffioun, authoritie and commandiment generale and fpeciale To pas in our faid realme of Scotland and thair to commoun and confer for ws and in our name with James Earle of Murraye To heir and vnderftand the conditionis that maye be proponit vnto him be the faid Erle of Murraye for vaye and moyen of appoyntment and reconciliatioun betuix ws him and our inobedient fubiectis And to reaffone confer and daill with him vpoun the faidis conditionis and moyens of appoyntment as the matter fall requyre and as falbe found neceffaire be our faid richt trufty coufigne counfalour and commiffioner And quhatewer he agreis to in our name We promeis

vpoun the word of ane prince to hald ferme and ſtabill, Ratifie and approve the ſame Inviolabillie to be obſeruit in all tymes cuming. In witnes of the quhilk We haif ſubſcryvit thir preſentis with our hand and cauſit affix our Signet thairto At Wingdfeild the fourt daye of Junij the ȝeir of God I^{m} v^{c} threſcoir and nyne ȝeiris And of our Regnne the xxvij ȝeir.

Marie R.

XVI.—Agreement *betwixt the Erles of Argyle, Marr, Mortoun, Caſſills, Eglintoun, and the Lord Boyd, anent the Troubles of the Nation, dated the* 12*th of Auguſt* 1571.

At Striueling the xij day of Auguſt the ȝeir of God I^{m} v^{c} thre ſcoir ellevin ȝeris, My lordis the Erll of Mortoun Chancellair of Scotland and the Erll of Mar on the ane pairt And my lordis the Erllis of Ergile Caſſillis Eglintoun and Lord Boyd on the other part convening and deliberating vpoun the preſent eſtait of this troublit commoun welth It is commonit condiſcendit and agreit vnto amangis thame as followis:—

First, My lordis the Erllis of Ergile Caſſillis Eglintoun and Lord Boyd conſidering the calamities quhairwith this realme thair native cuntrie is plagit throw the inward troublis and ciuile diſſentioun ſa lang continewing within the ſame to the apparent ſubuerſion of the commoun weill thairof And vnderſtanding the Kingis Maieſtie to be crownit and inaugurat, and the Quene his moder to be preſentlie in the realme of England, Willing thairfore to ȝeild to all gude meanis that may quiet the troublit ſtate and ſettle the ſame to his hienes obedience thay ar content to ſerue the

King and his hienes prefent Regent, and to fubfcriue a band to that effect.

Thay falhaue a remitt to thame, thair freindis and feruandis for not obeying and ferving the King in times bigane, and for all other caufes except the murtheris of the King fader to our fouerane lord and the Erll of Murray his hienes laft Regent fire murther flauchter reviffing of wemen thift reffett of thift and witchecraft, Exceptand furth of the faid exceptioun flauchter and vther crymes committit in the commoun caus or depending thairvpoun quhilkis fall alwayes be comprehendit vndir the faid remitt.

All fic as my faidis Lordis of Ergile Caffillis Eglintoun and Boyd may procure to the Kingis obedience and feruice falhaue the like appointment as thay prefentlie gett, being in the like ftate as thay now ar in.

And feing the intentioun of the noblemen on baith partes is to procure the quietnes and commoun weill of the realme And that the fame can not be rather hinderit nor be vptaking of the efchaetis and guidis of the perfonis now cuming to the Kingis obedience for crymes obiectit to thame in the commoun caus and depending thairon Thairfore all efchaettis of the noblemen abonewrittin thair freindis or feruandis difponit vpoun the occafioun of the commoun caus or depending thairon Sall tak na effect efter the dait heirof bot be fimplie difchargeit and all convenient fecuritie falbe maid thairupoun be actis of counfale and parliament or vtherwyfe as fal be thocht expedient Like as alfua all panis and vnlawis for non entering of perfonis callit to vnderly the law for materis tueching the faid commoun caus or depending thairon fall femblably be difchargeit.

Argyll.
Mortoun.
Cassillis.
Mar.
Eglinton.
R. Boyd.

XVII.—Remissio *Roberti Domini de Boyd et quorundam aliorum, 8th September* 1571.

Jacobus Dei gratia Rex Scotorum Omnibus probis hominibus ſuis ad quos prefentes litere peruenerint ſalutem Sciatis Quia ex noſtra ſpeciali gratia cum auiſamento conſenſu et authoritate chariſſimi noſtri conſanguinei Joannis Comitis de Mar Domini Erſkin &c. nobis noſtriſque regno et liegiis regentis Remiſimus conſanguineo noſtro Roberto Domino Boyd Thome Magiſtro Boyd Roberto Boyd de Baddinhaith eius filiis Adamo Boyd de Pinkill Magiſtro Jacobo Boyd de Trochrig eius filio Roberto Boyd de Portincroſs Archibaldo Boyd eius filio et heredi apparenti Thome Boyd de Petcon Roberto Boyd eius fratri Joanni Boyd de Boyneſchaw Jacobo Boyd de Hullirhill Alexandro Boyd in Craig Roberto Boyd eius filio Thome Boyd de Kippis Jacobo Boyd eius filio Joanni Boyd in lie Kirktoun de Kilmarnok Georgio Boyd eius filio Roberto Boyd in Kilbryde Willelmo Boyd et Joanni Boyd marcatoribus in Kilmarnok Joanni Boyd burgenſi civitatis Glaſguenſis Roberto Boyd in Cuikiſtoun Joanni Boyd in Quhitlyburne Willelmo Boyd in Noddiſdal Joanni Boyd in Gowanelie Roberto Boyd in Wardlaw Roberto Boyd in Lyne Roberto Boyd eius filio Willelmo Boyd in Laſwaid Quintino Boyd eius fratri Alexandro Boyd ſeruo dicti noſtri conſanguinei Domini Boyd Hugoni Craufurde de Kirkwod Archibaldo Boyill in Ryſholme Waltero Crawfurde in Gairbraid Joanni Craufurde in Quhitlieburne Joanni Lindeſay in Greneleyis Patricio Colquhoun fratri Joannis Colquhoun de Kilmardony Joanni Crawfurde in Wolftoun Thome Roſs in Bordland Joanni Lokkart in Unthank Jacobo Auchfloſs de eodem Hugoni Wallace de Meynefurde Patricio Hamiltoun de Bogfyde Archibaldo Kelſo in Hingdok Archibaldo Kelſo in Newſyde Joanni Blair in Wyndyedge Wil-

lelmo Blair eius filio Joanni Blair in Quhyteraig Willelmo Blair eius filio Willelmo Blair in Langfyde Jacobo Crawfurde in Myddiltoun Joanni Montgomerie in Flat Matheo Montgomerie eius fratri Joanni Montgomerie filio Joannis Montgomerie in Flat Andree Wod in Largis Archibaldo Kelfo de Kelfoland Alexandro Hammiltoun eius fervo Georgio Rofs de Hanyng Joanni Fergufhill de eodem Andree Schaw de Sornebeg Joanni Schaw Roberto Schaw et Schaw filiis dicti Domini de Sornebeg Joanni Kneland de Fofcane Ofwaldo Kneland Gavino Kneland et Georgio Kneland eius fratribus Hugoni Craufurde de Kilbirny Willelmo Crawfurde et Patricio Crawfurde eius filiis Davidi Barclay de Ladieland Joanni Barclay eius fratri Patricio Crawfurde de Cartifburne Davidi Crawfurde eius filio Roberto Crawfurde filio Joannis Crawfurde de Kirkwod Cuthberto Crawfurde de Auchincloyth Davidi Barclay in Kamehill Hugoni Dillop in Crawfeild Willelmo Crawfurde in Munnok Joanni Crawfurde filio Joannis Crawfurde de Clowbarhill Joanni Grenehill et Alano Dillop feruitoribus dicti Hugonis Crawfurde de Kilbirny Willelmo Schaw in Munnok ac omnibus et fingulis dictarum perfonarum hominibus tenentibus et feruitoribus rancorem animi noftri fectam regiam et omnem actionem quem feu quas contra ipfos aut eorum aliquem concepimus habuimus habemus feu quouifmodo habere poterimus pro eorum proditoria exiftentia contra nos ad eampum feu bellum de Langfyde et depriuatione noftri authoritatis noftre regalis eamdemque vi armorum et alias refiften. ac nobis tanquam boni fubditi tempore preterito a noftra coronatione non obediend. et feruiend. Et pro omnibus actione et crimine que ipfis aut eorum alicui inde quouifmodo imputari aut defuper fequi poterint Necnon pro omnibus aliis actionibus criminibus proditionibus tranfgreffionibus et offenfis quibufcunque per ipfos tempore retroacto a coronatione noftra predict. commifi. Murthuris chariffimi noftri patris bone memorie et quondam Jacobi comitis Morauie ac Mathei Lennocie comitis noftri chariffimi aui nobis noftrifque regno et liegiis regentium incendio murthuro interfectione mulierum raptu furto receptione furti arte magica exceptis Excipiendo omnimodo e dicta exceptione interfectionem et alia crimina in communi caufa refiftentie noftre auctoritatis

commiſſ. aut deſuper dependen. quas ſub preſenti noſtra remiſſione ſemper comprehenſas eſſe volumus dummodo partibus conquerentibus et damna paſſis taliter ſatiffaciant ut nullam ſuper hoc de cetero juſtam querimoniam audiamus Et ſupradictas perſonas ſub firma pace et protectione noſtra juſte ſuſcipien. firmiter inhibemus ne quis eis occaſione predict. proditorie exiſtentie et depriuationis omniumque aliarum actionum criminum proditionum tranſgreſſionum et offenſarum antedict. malum moleſtiam iniuriam aut grauamen aliquod inferre preſumat iniuſte ſuper noſtram plenariam foriffacturam aut mortem eis inferat ſub pena amiſſionis vite et membrorum In cuius rei teſtimonium has literas noſtras remiſſionis pro toto tempore vite prefatarum perſonarum duraturas ſub noſtro magno ſigillo ſibi fieri fecimus patentes Apud Striueling octavo die menſis Septembris anno Domini milleſimo quingenteſimo ſeptuageſimo primo Et regni noſtri anno quinto

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XVIII.—William Farleis *Band of Manreid maid to Robert Lord Boyd, dated* 10*th November* 1571.

At Irwin the tent day of the monethe of Nouembre the ȝeir of God I^{m} v^{c} threſcoir and alevin ȝeiris It is appointit contractit and finallie endit and agreit betuix ane noble and potent Lord Robert Lord Boyd on the ane part and Willem Fairlie bruder german to Dauid Fairlie of that Ilk on the uther part in maner and effect following Forſamekle as the ſaid Willem is becuming man and ſubiect ferwand to the ſaid noble and potent lord his airis and ſucceſſouris and bindis and obleiſis him ewfauldlie and trewlie to ſerf thaim wpon the ſaid noble and potent Lordis and his foirfaidis retinew and expenſis in howſauld and owt of howſauld as beſt ſall pleiſs thaim in all thair effaris and als weill in defence as perſuyt withe quhom or aganis quhom it ſall happin thaim till haif actiown and ado (ore ſouerane Lord and his graces ſucceſſouris in auctoritie being all

wyis except) in during all the dayis of the faid Willems lyfetym and in the mein tyme fall ewfawldlie afift the faid noble and potent Lord and his foirfaidis withe his guid cownfell and fall newir heir nor akknawlege thair hurt domage nor fkyth in ony fort bot fall dilligentlie fuyt owt the famyn and mak trew declaratiown thairof for the quhilk caufis the faid noble and potent lord hes gewin and giffis be the tenowr heirof to the faid Willeam in feall for all the dayis of the faid Willeames lyftyme all and haill the threttie fchilling land of awld extent of Byrehill withe the pertinentis pertenand to the faid noble and potent Lord in rentaile lyand in the perrochin and regalite of Kilwinnyng and withein the fherodome of Air And fall peceablie enter the faid Willeame thairto at the feift and tearme of Witfowndaye nixttocom maneteine keip and difend the faid Willeame thairintill and in all wtheris the faid Williames refonable affaris aganis all deidlie (the leife Majeftie being except) prewyding allwyis the faid Willeme during his lyftym mak thankfull payment 3eirlie to the Abbot and place of Kilwyning and thair factowris of the fermes canis maillis teindis and dewateis auchtand furth of the faidis landis And obtein and report to the faid noble and potent Lord and his foirfaidis and to the faid Willeames felf the faid abottis and his factowris hawand power for the tyme fufficient aquittant and difcharge thairof And incaife the faid Willeame faill in performyng and doing of his ferwice and utheris pointis aboue writtin the famyn being fufficientlie recognofcit and knawin in that caife the faid Willeame but forther proces of law fall defift and ceis fre all farther intromiffiown withe the faidis landis and leif the famyn red and woyd the faid noble and potent lord falhaif full regres and ingres in and to the faidis landis withe the pertinentis to be wfit be him and his foirfaidis fyklyk and alfe frelie as the faid noble and potent lord mycht haif downe befoir the makin off this prefent apointment prewyding all wyfe it fall not be lefum to the faid Willeme during the tyme foirfaid to raif furth nor teill na part of medo of the faidis landis nor to wfe the mofs thairof bot to his awne neceffare fyre and fewall alannerlie And heirwnto ony of the faidis parteis hes faithfullie bund and obleift thaim in the maift fuyre maner In vitnes of the quhilk thing thay haif fubfcrywit this prefent apointment withe thair handis day 3eir and place abone

writting Befoir thir witnes Robert Boyd of Badinethe Patrick Hammiltoun of Bogefyde and Gawin Nafmyth notar publict with vtheris diuerfe

R. Boyd.
Willyame Fairlie.

XIX.—The Lard of Fargushillis *Band of Manreid, dated 26th October* 1572.

At Aflos the xxvi day off October the 3eir off God I^m v^c threfcore and tuelff 3eiris It is finalie bound concordit and contractit betuix honourabill perfonis vnderwrittin Thay ar to fay ane noble and potent lord Robert Lord Boyd on the ane pairt and Johne Fergufhill off that Ilk on the uther pairt in maner forme and effect as efter followis That is to fay Forfamekill as the faid nobill lord fall renunce quitclame difcharge and ouergyff as be the tennour heiroff he renuncis quitclamis difchargis and ourgiffis fra him felff his airis and affigneis fforever all rycht title entres clame kyndnes properte or poffeffioun quhilk he hes had or ony wayis may haiff in and to the fourte fchilling land of Auchintybyre fumtyme occupeit be Johne Boyd lyand within the regalite off Kilwynning bail3erie off Cunnynghame and fhereffdome off Ayr to the faid Johne Fergufhill his airis and affignayis quhatfumever to remane with thame as thair kyndlie roome in all tymes cuming And als the faid Lord is content and confentis that the faid Johne obtene the few or rentall thairoff at the handis of the perfonis that hes or falhappin to haiff power to do the fam and fullie grantis and gevis his guidwill thairto and confent and fall ratefe the fam als oft as neid requyris ffor the furdering of the faid few or rentale abouewrittin And incafe the faid Johne him felff cannot obtene the faid land in few or rentall, the faid Lord bindis and

obleſis him to do his exact diligence ffor obtenyng thairof to the weill and proffit of the ſaid Johne and his airis als frelie as he may obteyne it to him felff For the quhilkis cauſſis the ſaid Johne Fergufhill hes leillie and trewlie gevin and grantit and be the tennour heirof gevis and grantis lelelie and trewlie his band of manrid and fervice to the ſaid Lord and his airis during all the dayis off the ſaid Johnis lyftyme binding and obliſſing him as leill and trew fervand to tak trew and afald pairt with the ſaid Lord and his airis in all thair actionis quarrellis queſtionis and debaittis that thay hayff now or falhappin to haiff aganis quhatſumever perſoun or perſonis the Kingis Majeſtie our foverane Lord allanerlie exceptit And ſall giff his leill trew and afald counſale to the ſaid Lord and his airis conceleand quyet thair conſale ſafar as he beis participant thairoff And ſall giff na counſale in thair contrar nor wit thair ſkayth hurt harme or diſhonour bot ſall warne thame thairoff ſtop and ſtay the ſame to his powar refait and refave thame in his ſtrenthis houſſis and fortraces gif thaj be perſewit defend and meynteyne to the vttermeſt of his powar aganis all levand or die may duryng all the dayes off his lyfftyme the Kingis Majeſtie allanerlie exceptit as ſaid is Prowyding alwiſe that the ſaid Johne ſall not be aſtrictit to tak pairt with the ſaid Lord in the perſute of the Erle of Eglingtoun his ſuperiour in his bode or landis And incaſe it happin him be accident to do the ſame or vtherwyſe the ſaid Lord bindis and obliſſis him and his airis to warrand him at the Earle of Eglingtoun his ſuperiouris handis for ony thing may be obtenit aganis him be the law thairfore And lykwyſe the ſaid noble Lord bindis and obliſſis hym and his airis to tak the meynetenance of the ſaid Johne during all the dayis of his lyfftyme defend and meyntene him in all his actionis quarrellis queſtionis and debaittis he hes or falhappin to hayff aganis quhatſumever perſoun or perſonis the Kingis Maieſtie our ſouerane Lord allanerlie exceptit And ſall gyff hym thair trew and afald counſale keip quyet and concele the ſaid Johnis counſale ſafar as thaj ſall knaw thairoff And ſall gif na counſale in his contrare nor wit his ſkayth hurt harme or diſhonour bot ſall warne him thairoff ſtope and ſtay the ſame to the vttermoſt of thair powar refait and refave him in thair ſtrenthis houſſis and fortraces gif he be perſewit defend and meyntene him to the

vttermoſt of thair powar in maner abonewrittin And for obſerving and keiping of this preſent band and conditionis before ſpecefeit bayth the faidis pairteis hes ſolempnitlie fuorne ilkane to vtheris be thair grete ayth faythfullie to abyd thairat And hes ſubſcriuit the ſame with thair handis in teſtimony thairof day ȝeir and place before mentionat Before thir witneſſis Johne Crawfurd of Crawfurdland Robert Boyd of Badineith George Campbell of Dennovale James Boyd of the Kippis James Aſlos of that Ilk and Patrik Colquhoun ſervand to the ſaid Robert Boyd of Badneith with vtheris diuerſe.

R. Boyd.

Jhone Fergusihill
of that Ilk.

XX.—Laird of Lochrigis *Band of Manrent gevin to Robert Lord Boyd, dated 1ſt Feb.* 1573.

Be it kend to all men be thir preſent lettres me Andro Arnot of Lochrig ȝoungare To be bund and oblift as alſua be the tenoure heirof Bindis and obleiſſis me my airis and ſucceſſouris to ane noble and potent lord Robert Lord Boid his airis and ſucceſſouris That Forſamekle I be thir preſentis for me and my foirſaidis lardis of Lochrig becumis bund men and faithfull ſeruandis in all tymes cumyng to the ſaid noble Lorde and his foirſaidis and thair houſe Thairfoire I and my foirſaidis with oure kyn freyndis and dependaris on ws and oure hous ſall at all tymes heireftir following ſerve ryde and gang with the ſaid Lorde and his foirſaidis and tak thair plane and afauld partes in all and quhaſumeuery thair actiones querrellis and effaris aganis all and quhatſumeuir perſones (the Kingis grace and authoritie onelie exceptit) and ſall gif to thame oure lele and trew counſales and ſall nocht wit nor heir of thair ſkaithis bot ſall reveill the famyn and ſtop it at oure power And ſall reſſaif in oure houſſis the ſaidis noble lorde and his foirſaidis quhen thaj happin to reſort or cum

thairto And als fall with oure faidis kyn freyndis and dependaris on oure faid houſe mak lele and trew ſeruice to the faid noble Lorde and his foirfaidis in the Kingis grace weiris and all wtheris thair awne particulares effaris and actiones as is aboun ſpecifeit aganis all deidlie and that dee maye (except befoir exceptit) For the quhilkis premiſſis to be done as faid is The faid noble lorde obleiſſis him and his foirfaidis to delyuer and paye to me and my foirfaidis airis and ſucceſſouris in name of feall aucht bollis mele ȝeirlie betuix ȝuile and Candlemes And als fall manteine fortifie and defend me and my foirfaidis in all and fundry oure leſum beſynes actiones and querrellis aganis quhatſumeuery perſones (the Kingis grace and authoritie as faid is being onelie exceptit) And Attoure I the faid Andro be thir preſentis grantis me to haif reſſauit at the daye and date heirof fra the faid noble Lorde for oure faid band of manrent the ſowme of thre hundreth markis vſuale money of this realme in numerat money Of the quhilk I hald me wele content and payit And thairof exoneris quitclames and diſchargis the faid noble lorde and his foirfaidis for me and my foirfaidis for euer And thairof I be the tenour heirof obleiſſis me and my foirfaidis that incaiſe it happin (as God forbid) me or thame to failȝe in thankfull ſeruice making to the faid noble lorde or his foirfaidis or contravene this oure band of manrent as is abonevrittin Than and in that caiſe I obleiſſe me and my foirfaidis to refound repaye and delyuer agane to the faid noble Lorde and his foirfaidis the faid ſowme of thre hundreth merkis money reſſauit be me as faid is within fourtie dayes nixt efter the falȝe or contraventione be tryit and declarit and we convict thairof In vitnes heirof the faid noble lorde for his parte and the faid Andro for his parte hes Subſcriuit thir preſentis with thair handis At Glaſgw the firſt day of Februar the ȝeir of God I^{m} v^{c} threſcoir threttene ȝeiris befoir thir witneſſis Thomas Maiſter of Boyd Johnne Maxvell of Calderwood Robert Boyd of Badinhayth Johnne Farguſhill of that Ilk James Boyd of Hullerhill James Boyd of Kippis Quintene Boyd of Auchrothir with vtheris diuerſe.

R. Boyd.

Andro Arnot of Lochrig.

XXI.—Appointment *betuix my Lord Boyd and the Laird of Rouallane.—Maii* 23, 1574.

At Aſlos the xxiij day of Maij in the ȝeir of God I^{m} v^{c} lx fowrtene ȝeiris It is appointit aggreit and finalle endit betuix ane nobill and potent Lord Robert Lord Boyd on the ane part and Johne Mure of Rovallane tak-and the burding on him for the wyiffe and bairnis of vmquhill Johne Mure in Well on the vther pairt in maner following That is to ſay the ſaid Robert Lord Boyd for full aſſyithment haill fatiffactioun and compleit kinbut paying for the ſlauchter of the ſaid vmquhill Johne Mure, bindis and obliſſis him his airis executouris and aſſignais to thankfullie content and pay to Janet Mure relict of the ſaid vmquhill Johne the ſovme of twa hundreth threttie thre lib. ſex ß. and viij d. money at termis efter ſpecifeit, to be diſponit and vſit to the vtilite of the ſaid Jonet and hir barnis of the ſaid vmquhill Johnneis lauchfulle gottin betuix thaim That is to ſay, twa hundreth merkis money thairof to be payit and delinerit betuix and the xxviij day of Maij inſtant and ane hundreth lib. for compleit payment of the foirſaid haill ſovme of that xxxiij lib. vj ß. viij d. to be payit betuix and the thrid day of Nouember nixt For the quhilkis money deliuering as ſaid is and utheris fatiffactioun done of befoir the ſaid Johnne Mure of Rovallane bindis and obliſſis him his airis executouris and aſſignayis to deliuer to the ſaid Robert Lord Boyd his feruandis and compleces committaris of the ſaid ſlauchter ane guid and ſufficient letter of ſlayance for himſelf wyiff bredir and bairnis of the ſaid vmquhill Johnne Mure and the remanent of the ſuirname of Johnne Mure of Rovallan or cumin of his houſe And ſall cauſe the barnis of the ſaid vmquhill Johne Mure to ratefie and approve the ſaid letter of ſlayance at thair cuming to perfyit age. And incaiſe ony of the four brencheis of the ſaid vmquhill Johne perſew the ſaid Robert Lord Boyd or his compleces for the ſaid ſlauchter or fatiffactioun be the law thain and in that caiſe the ſaid Johne Mure of Rovallane bindis and

obleiffis him his airis executouris and affignais to warrand acquiet and defend the faid Robert Lord Boyd and his compleces foirfaidis for the fatiffactioun and kinbut foirfaid And alfe that the foume foirfaidis falbe furthcumand for the fatiffactioun of the foure brenches Attour gif it happinnis that ony of the foirfaidis foure brencheis perfew the faid Robert Lord Boyd or his compleces by law be fors or way of deid for the flaughter foirfaid the faid Johne Mure of Rovallan in that caife bindis and obliffis him his airis executouris and affignais to tak plane pairt wyth the faid Robert Lord Boyd and his compleces foirfaidis ay and quhill he deliuer ane fufficient letter of flayance of the haill foure brencheis Alfe that bayth the foirfaidis pairteis is content that this letter be extendit in the maift fuir and ampill forme for the fecurite of the foirfaidis as men of law can deuyife keipand the pointis and heidis foirfaidis in effek In witnes of the quhilkis the pairteis foirfaidis hes fubfcriuit thir prefentis wyth thair handis day 3eir and place foirfaid Befoir thir witneffis Johnne Lokart of Bar Hew Wallace of Carnall and Johnne Cravfurd of Cravfurdland wyth vtheris diuerfe.

John Mure of Rouallan.
R. Boyd.

XXII.—Andro M'Farlanis *of Arroquhairis Band of Manrent gevin to Robert Lord Boyd.—Auguſt* 1575.

Be it kend till all men be thir prefent letres me Andro M'Ferlane of Arroquhair to becummin bund man and feruand to ane nobill and potent Lord Robert Lord Boyid and fall ferue the faid nobill lord lelalie and treulie be my felf my freindis feruandis and tennentis and all vtheris that I may guidlie raife in all his actionis cauffis and quarrellis quhatfumeuir

aganis all deidlie or de may (our Souerane Lord and his auctorite onlie exceptit) and fall nathir heill nor conceill the faid nobill Lordis ſkayth bot fall aduerteis him thairof and ſtop the famyn to the vtermeſt of my pouar And fall reſſait and reſſaue the faid Lord giff neid beis in my houſſis ſtrentheis boundis And countrey and defend him thairin for the faidis Lordis weill and releif And fall gang and ryid in defending or revengeing of the faid Lordis cauſſis wyth my kin freindis feruandis and tennentis ſua oft as I falbe requirit thairto And fall gif him my trew and efauld counfell and conceill the faid Lordis counſell that falbe ſchawin to me And that induring all the dayis ȝeris and termis of tuelf ȝeiris nixt and immediatlie following the day and dait heirof And ferthar thaireftir to induir ay and quhill the faid nobill lord or I the faid Andro diſcharge vtheris of this preſent band lauchfullie vpone fowrtie dayis warning For the quhilk band of feruice abone writtin the faid nobill Lord fall content and pay ȝeirlie to me during all the ſpace of tuelf ȝeiris abone writtin and ferdar ȝeirlie thaireftir ay and quhill the faid nobill Lord or I the faid Andro diſcharge vtheris in maner abone ſpecifeit Ane chalder of vittuall ȝeirlie in feall viz. tuelf bollis thairof meill and fowre bollis malt to be payit furthe of ony part of the baronie of Luiſe quhair I the faid Andro pleiſſis to chuiſe And for payment thairof the faid Lord fall gif me his precept ȝeirlie to the tennentis of the gronde And the faid nobill Lord fall manteine and defend me in all my actionis cauſſis and quarrellis lefull and honeſt aganis quhatſumeuir deidlie or de may (our Souerane Lord and his auctorite allanerlie exceptit) And fall reſſait and reſſaue me gif neid beis in his houſſis ſtrentheis boundis and countrey and defend me thairin for my weill and relleif And fall gang and ryid in defending or revengeing of my cauſſis wyth his kin freindis feruandis and tennentis and fall gif me his trew and efald counfell and fall keip and conceill my counfell that falbe ſchawin to him And at quhat tyme or how oft the faid Lord chargeis me to ryid or gang wyth him furthe of my awne cuntrey that hie fall beir my expenſſis as ane of his houſhald men and feruandis And for ſuir keiping and fulfilling heirof I haue faythfullie ſuorne to abyid that vnder the pane of periure and defamatioun for euir And in takine thairof hes ſubſcriuit this preſent band

wyth my hand as alfua the faid noble lord hes fubfcriuit the famyn in taikin of his confent to the feall and manteinance abone writtin At Roifdo the tuentie fewin day of Auguſt The ȝeir of God I^{m} v^{c} threfcoire fyiftene ȝeiris Befoir thir witneſſes James Hammiltoun of Libertoun Robert Boyid of Badinhayth James Boyid of Kippis Johnne Fergufhill of that Ilk Johnne Cunnynghame ȝonger of Drumquhaffill Walter Colquhoun ȝoungar of Kilmordune and Conſtantene Walkinfchaw of Auchintreuthe with vthiris diuerfe.

R. Boyd.

Andro Makfarlin
off Arroquher.

XXIII.—Laird of Cambustrodanis *Band of Manrent gevin to Robert Lord Boyd.—20th January* 1575.

I Robert Colquhoun of Camſtrodam be the tenour heirof obliffis me my airis to ane noble and potent Lorde Robert Lorde Boyde wardour of the lardfchip and leving of Lufs and his airis to ferve the faid noble Lord and his airis in the Kingis grace weiris and all wtheris particularis to ryde and gang witht thame quhen and fa aft as we be requyrit during the tyme of the warde and falang as the faid noble Lord and his airis falhappin to have the gift of the warde of the lardfchip of Lufs lyk as I feruit vmquhile Sir Johne Colquhoun of Lufs knycht of befoir and that becaus the faid Lorde at my defire hes difponit the warde and nonentre of the ten pund land of Camſtrodam during the tyme of the warde thairof to Patrick Colquhoun fone naturall to James Colquhoun of Gartfcube and his affignayis be his lettir and affignatioun of the dait heirof The faid Lord and his airis fortefeand me and my airis during the faid fpace in all our juſt and lefull effairis as oure maiſter In vitnes heirof I haue fubfcriuit

thir prefentis witht my hand At Glafgw the twenty day of Januare the 3eir of God ane thoufand fyfe hundretht and threfcoir fyftene 3eiris befoir thir witnes James Colquhoun of Garfcube tutour of Lufs Maifter Andro Haye perfone of Renfrew Maifter Archibald Craufurde perfone of Eglefchem Johne Colquhoun of Kilmerdony Johne Colquhoun penfioner and Maifter Henry Gibfone notare witht wtheris diuerfe.

Robert Colquhoun
of Camftroddan.

XXIV.—Band *betuix Robert Lord Boyd and the Laird of Blair for affifting others.—2d March* 1575.

At Glafgw the fecound day of Merche The 3eir of God I^{m} v^{c} threfcoir fyftene 3eiris It is aggreit contractit and fynalie promittit betuix thir pairteis viz. ane noble and potent Lord Robert Lord Boyd on the ane pairt and Johnne Blair of that Ilk on the vthir pairt in maner following That is to fay The faid Johnne Blair of that Ilk bindis obliffis and faythfullie promittis that he his freindis feruandis tennentis and pertakaris fall accumpany ryde gang and affift with the faid Lord in all kynd of lefull conventionis bayth in auctoriteis weiris and in all vthiris his perticular actionis aganis quhatfumeuir perfone our fouerane Lord the King onlie exceptit And that for all the dayis of the faid Johnnes lyftyme And ficlike the faid Lord bindis obliffis and faythfullie promittis to defend manteine and affift with the faid Johnne with him felff his feruandis and freindis in all his cauffis lefull and honeft aganis quhatfumeuir perfone our Souerane Lord the King exceptit during the faid Lordis lyftyme To all the quhilkis premiffis bayth the faidis parteis hes faythfullie promittit to abyde at during thair lyftymes In witnes heirof thai haue fubfcriuit thir prefentis with thair handis day 3eir and place foirfaidis befoir thir witneffis Robert Boyd of Badin-

haith Johnne Schaw of Grenok Williame Blair of Halie Hew Craufurde of Cloborhill and Archibald Lorymer ſeruand to the ſaid Lord with vthiris diuerſe.

R. Boyd.
Jhon Blair of that Ilk.

XXV.—Adame Cunninghame of Cullellanis *Band of Manrent gevin to Robert Lorde Boyd, dated* 19*th May* 1576.

Be it kend till all men be thir preſent letteris Me Adame Cunninghame of Cullellane for diuers gratitudis gude deidis and pleſouris done to me be ane nobill and michtie lord Robert Lord Boyd off Kilmarnok Thairfoir to be bundin and oblift and be the tennour heirof bindis and obliſſis me lelelie and trewlie be the fayth and treutht in my bodie in manrent and ſervice to the ſaid nobill lord during all the dayis of my lyftyme And to that effect ſall tak ane afauld trew and plane pairt be my ſelff my freindis ſervandis and all that I may do or procure witht the ſaid Robert Lord Boyd In all and ſindrie his actionis cauſſis querrellis controuerſeis and debaitis movit or to be movit be hym or aganis hym In the law or by the law aganis quhatſumever perſone or perſonis (Our ſouerane lordis auctoritie and perſute of the hous of Caprintone onlie exceptit) And ſall ryid gang aſſiſt and concur in my ſervice foirſaid witht the ſaid nobill Lord be my ſelff my freindis ſervandis and tennentis and all that I may procure to that effect als oft and at all tymes as I ſalbe requyrit be hym during the ſpace foirſaid And ſall gif hym the treweſt counſall that I can or may in all his cauſis and biſſines and ſall conceill the counſall quhilk he ſalhappin to ſchaw to me and ſall ſtop and lat at the vttermoſt of my pouer all hurtis dampnage ſkayth and diſhonour that may ingener aganis the ſaid

Lord his hous freindis and fervandis at the vttermoſt of my pouer And forder ſall do and exerce all thingis lefull and honeſt tuiching my ſervice foirſaid that appertenis to ane trew ſervand to do to his Lord and maiſter bindand and obliſſand me heirto vpone my fayth lautie honour and fidelite but fraud or guyll In witnes heirof to thir preſent lettres ſubſcriuit with my hand my ſeill is affixt At Edinburght, the nyntene day of Maij the ȝeir of God I^{m} v^{c} threſcoir ſaxtene ȝeiris befoir thir witneſſis James Boyd of Kippis Niniane Cunninghame ſervand to the ſaid Lord Archibald Lorimer his ſervand alſua with vtheris diuerſe

Adame Cvnninghame
of Clolynan.

XXVI.—Laird of Ryisholmes *Band, dated 21ſt November* 1577.

Be it kend to all men be thir preſent lettres Me Johnne Boyll of Ryſholme To be bundin and obliſt as be the tenour heirof bindis and obliſſis me to ane nobill and potent lorde Robert Lorde Boyde That I during all the dayis of my lyftyme witht my houſhald tennentis and freindis ſall ryde and gang witht the ſaid nobill Lorde and ſerwe him in the Kingis grace weris and all wther his honeſt and leſum erandis biſſines and effaris And ſall at my power tak plane parte witht him in the ſamyn and all his actiones lefull and honeſt aganis quhatſumewir perſone or perſones (the authoritie being except) And ſall gif to him my counſall quhen I be chargit be him thairto in ony thing and ſalbe leill and trew to him and ſall nocht rewele ony of his counſale ſchawin or knawin to me bot ſall ſet furthewart all his biſſines eftir the wtirmeſt of my power And ſall convene and cum to him witht my ſaidis freindis houſhaldmen and depend-

aris in the faidis Kingis weris or wtheris his effaris actiones and biſſineſſis foirfaidis ſa oft as I be requyrit thairto be him And giffis be thair preſentis my band of manrent to him during all the dayis of his and my lyftymes And be the tenour heirof gevis my bodelie ayth and hes gevin the ſamyn for fulfilling of the premiſſis and on my honour and honeſtie fall abyde thairat during my lyftyme In witnes of the quhilkis I haue ſubſcriuit the famin with my hand At Glaſgw the tuentie ane day of Nouember the ȝeir of God I^{m} v^{c} lx ſevintene ȝeiris Befoir thir witnes James Archebiſchop of Glaſgw Thomas Maiſter Boyd Robert Boyd of Badinhayth Adame Boyd of Pynkill Thomas Craufurde of Jordenhill Mr Harie Gibſone court clerk of Glaſgw and Archibald Lorymer with vtheris diuerſe

Johnne Boill of Ryſholme.

XXVII.—The Band of Freindschip *maid betuix the Erleis of Eglintoun, Glencarne, and Robert Lorde Boyd, Lairdes of Lowdoun and Cragie.*—13*th Junij* 1578.

Be it kend till all men be thir preſent letres We Hew Erll of Eglintoun Lord Montgomerie Williame Erll of Glencarne Lord Killmawars Robert Lord Boid Sir Mathow Campbell of Lowdoun knycht ſhereff of Air Johnne Wallace of Cragie for him ſelff Hew Maiſter of Eglintoun James Maiſter of Glencarne Thomas Maiſter of Boid Hew Campbell of Tarringane our eldeſt ſones and apparent airis and the ſaid Johnne Wallace of Cragie taking the burding apoun him for Johne Wallace his ſone and appering air quha ſalbe comprehendit herin and ſubſcriue thir preſentis at his maioritie Seing diuerſe querrelles and contrauerſeis arryſing alſweill amangis our freindis as vthers our nychtbouris tending to the truble and brek of the cuntre For repreſſing quhairof and for the zeall and erniſt affectioun we bear to peax and commone quietnes and that we may be

the mair able frelie and without impediment to awaitt apoun the Kingis Maiefties feruice as it fall pleis his hienes to employe ws As alfwa for confirming and gud interteinement of the ald bandis amitie and kindnes amangis our houſſis ſo be bundin and oblift and be thir preſentis apoun our fayth and honouris the halie ewangeill tuicheit ſolempnatlie bindis and obliſſis ws to tak trew faythfull afald and plane partt all togiddir and ilkane with vtheris alfweill be way of law as deid perfutt as defence be our ſelffis our landis houſſis guddis freindis feruandis dependaris and all that we may move in all and quhatſumeuir actionis cauſſis querrellis contrauerſeis and debettis movit or to be movit be or aganis ws or ony ane of ws our feruandis or freindis propirlie depending apoun ws aganis quhatſumeuir perſoun or perſonis (the Kingis Majeſtie and his hienes auctoritie allanerlie except) and that all actionis cauſſis and querrellis mowit or to be mowit be or aganis ws ony ane of ws or our foirfaidis ſalbe ane and comone as we and ilkane of ws haid ſpeciale and like enteres thairintill That all our caſtellis houſſis ſtrenthis pertening to ws or ony ane of ws ſalbe readie and patent to ws and ilkane of ws as the cauſe and occaſioun ſall require That we ſall meit and convene als oft as ſalbe requiſit ſall give vthir our trew faythfull beſt aduiſe and counſall in all effaris ſall keip vtheris counſallis and ſecreteis nocht reweill nor bewray the famin and ſall nocht vranguſſie nor vnkindlie tak vtheris guddis landis offices rowmes takkis ſteiddingis or poſſeſſiones fee corrupt or accept vtheris feruandis feallaris or dependaris procuir knaw or ſuffir the harme ſkayth or diſhonnour of ony of ws bot ſall reſiſt and ſtop the famin to our vttirmeſt and ſall give als haiſtie knawlege thairof as ſalbe poſſible to quhomeſumeuir of ws it ſall concerne and ſall ſpeik nor do na thing directlie nor indirectlie that may be prejudiciall diſhonorabill or offenſiue to vthir in ony ſoirt And give it ſalhappin as God forbid ony different ſlauchtir blude or uther inconvenent to fall owtt amangis ony of ws our freindis feruandis or dependaris the famin of quhatſumeuir wecht or qualitie it be of ſalbe ſubmittit to the deciſioun and jugement of the remanent of ws ſubſcriueris of this band quha ſalhaue full powar and auctoritie to juge decyde and decerne thairintill quhais ſentence and de-

creit bayth the pairteis fall byde att fullfill and obſerue without reclamatioun or appelatioun and ſalbe als valide and effectuall in all reſpectis and haue als full executioun as the ſamin haid bene gewin and pronuncit eftir cognitioun in the cauſe be the Lords of Seſſioun Juſtice Generale of Scotland or ony vthir Juge ordiner within this realme And will and grauntis that this band be als valide and ſufficient ſubmiſſioun in all reſpectis as give the ſaid different ſlauchtir blude or inconvenient efter committing thairof war ſpeacialie ſubmittit to the ſaidis perſones ſubſcriueris heirof be bayth the pairteis be blank or vthirwayis quhilk alſo we promiſe to do as we ſalbe requirit And in the meyntyme for the bettir quietnes We and euerie ane of ws faythfullie and be our aythis promiſis bindis and obliſſis ws that quhaſaeuir of ws or our foirſaidis falhappin to be offendit be vthir of ws or thair foirſaidis we nor thay ſall nawayis tak rewenge thairof be way of deid quhill we haue firſt deſyrit the pairtie offendent to repair and amend the ſamin give it be ane of our ſelfſis or cauſe the ſamin be repairit and amendit give it be ane of our freindis ſeruandis and dependaris and quhill we haue ſignifeit and gevin knawlege thairof to the remanent ſubſcriueris of this band that thai may cognoſce and decerne thairintill as ſaid is And give it falhappin as God forbid ony of ws to be willfull obſtinat or ſtubburne and haweing offendit to refuiſe to repair and amend our offence at the ſycht of the remanent ſubſcriueris heirof and to cauſe our freindis ſeruandis and dependaris do the lyk in thair eſtaitt and degre Or being offendit to refuiſe meſour and reaſoun at the ſycht of the remanent ſubſcriueris heirof To be bundin and obliſt and be thir preſentis letres bindis and obliſſis ws to tak ane efald trew and plane pairtt with the reſſonabill and moderat pairtie aganis the willfull ſtubburne and obſtinat bayth be way of law and deid till he be conſtranit be law force or freindlie dealling to cum to reſſoun and conformitie, quhilk and all the premiſſis We and ilkane of ws hes be our aythis apoun our fayth and honnouris faythfully and ſolempnantly promiſit and ſworne to obſerue and keip vndir the pane of perjurie infamie and perpetuall defamatioun In witnes quhairof to thir preſentis ſubſcriuit with our handis our ſeillis ar affixt At Striueling the

xiij day of Junij The ȝeir of God I^{m} v^{c} lx auchtene ȝeris Befoir thir witnes John Conynghame ſone to my Lord of Glencarne Johnne Coninghame of Corſhill Johnne Baillie ſeruand to my Lord of Eglintoun Walter Colquhoun ſeruand to my Lord Boyde and Patrik Coninghame ſone to the Laird of Aikett.

Eglyntoun. Hew Mr of Eglintoun. R. Boyd. John Vallace of Craggy.

Wyllyem Erll of Glencarn. James Maistir Glencairne. Mathow Campbell of Lowdon Knycht. Hew Campbell of Terringyen.

XXVIII.—Letter *by my Lord Angus to my Lord Boyd, quhairby he promiſſes to ſend his Servands to his Court holding, dated 2d Auguſt* 1590.

Pleis your Lordſhip I refauit ȝour Lordſhipis letre this fecund off Aguſt for to ſend ſum frendis and ſervandis to your Lordſhip agane the tent off this inſtant to Grugar for ȝour Lordſhipis curt haldin thair as ȝour Lordſhip writt nochtwithſtandin that the Lard Knokdoliane and I ar fecund and thrid off kin ȝit I can nocht bot remembir the ald ſtandain kindnes betuix owr houſis and to declar my gudwill to ȝour Lordſhip in ȝour honeſt caus I ſall ſend my ſervandis off Douglas and frendis in Cliddiſdaill to keip the day and howr and place apointit in ȝour Lordſhipis letre that the cuntre may knaw that owr ffrendſhipis ar jwnit in the ald maner with ſik vthir pleſour as I may do ſalbe redy to ȝour Lordſhip charge Remittin

the reſt thairto committis 3our Lordſhip to God At Edinburgh the ſecund of Aguſt 1590.

3our Lordſhipis awin Cuſing affurit at pouar.

Anguss.

Gif I haid nocht ane actione heir in feſſione with his Majeſtie I ſuld nocht ſparit my awin traveill in that caus.

To my varay ſpeciall guid Lord my Lord Boid.

XXIX.—Asslos *Band of Manrent, dated 10th February* 1590.

Be it kennyt till all men be thyr preſent letres me James Auchinloiſe of that Ilk to be cumyng man and feruand tyll ane honorabill man Robert Boyd balȝe of Kilmernok for all the tyme and termis of my lif byndand and oblyſand me lellely and trewly be the fatht and treutht in my body to be leill and trew tyll hym and ſerf hym baitht in pax and weyr and to giwe hym the beſt conſell I can and to kep his conſell quhen I am chargit and to abid and raman with hym in houſhald or retenew as it fall pleſe hym and to tak afald pairt with hym in all his accionis and quharelis Induring my lif tym agan all otheris leiffand or de may excep my allegyange tyll our ſouerane Lord the Kyngis grace and hys ſucceſſouris And gif it fall hap-

pin as God forbed it do the faid Robert to be at ony maner at difcord or difcencione with ony of my our lordis I fall hald me by and fall nocht cum in his contrar For the quhilk ferwice and manrent the forfad Robert fall diffend fupple and manten me in my honeft and juſte accionys and quharellis And alfe fall content and pay to me ȝherly induryand my lif tyme fyif merkis gud and wfwale mony of Scotland at tua wfwale termis in the ȝer Wytfunday and Mertymefs be hewynly portionys To the obferwyne fulfyllyng of this my band all pwntis and artykyllis conteinyt in the fammyn I bynd and obliffis me lellely and trewly be the faitht and treuitht in my body withowt fraud or gill difceptione or cawillatione and wnder the payne of perjwr and infamyt In wytnefe of the quhilk thyng becaufe I had na fell propyr of my awne I haf procuryt the fell of ayne honorabyll man Maſter Thomas Boyd perfoun to be affixit to this wyrt At Kylmernok x day of Febrar in the ȝer of God a thowfand v^{c} and nynte ȝerris Befor thir vitnefis Adam Boyd Sir Alexander Boyd Thomas Boyd James Lyndiffay and Archibald Auchinlofs with otheris dyuerfe And haf fubfcriwyt this wyrt with my hand on the prefent day ȝer and playc befor the wytnefis forfadis.

James Auchinloiss
with my hand on the pen.

DISPUTE—ABBOT AND CONVENT OF LINDORES AND THE INHABITANTS OF NEWBURGH.

DISPUTE BETWEEN THE ABBOT AND CONVENT OF LINDORES AND THE INHABITANTS OF NEWBURGH. M.CCC.IX.

The following account of the adjustment of a dispute between the Abbot and Convent of Lindores and the Inhabitants of the adjacent town of Newburgh, in the year 1309, is now, for the first time, printed from a small volume in MS. in the Library of the Faculty of Advocates, entitled, "Liber Sanctæ Mariæ de Londors Ordinis Cisterciensis." This document has been referred to by Sir Robert Sibbald, in his History of Fife and Kinross,* but is there inaccurately described. It is interesting, as preserving a detailed account of the mode of proceeding adopted in settling such controversies at that early period. Sir Robert de Keth Marischall, and Justiciar from the Water of Forth to the Mountains of Scotland, is named as arbiter—he presides as judge—summons a jury—objections are successfully taken to one of the jurymen—another is put in his place—the jurymen are regularly sworn—and the claims of both parties are submitted to their consideration. After giving due attention to the matter before them, they return a verdict in favour of the Abbot, and a brief abstract of the whole proceedings is thereupon entered in the books of the Abbacy. The formality and regularity of this trial of right is remarkable, and gives a somewhat more favourable impression of the fairness of judicial proceedings at that time, than we have hitherto been accustomed to entertain.

In the Book of Lindores is preserved a copy of the original charter granted by Alexander the Third to the inhabitants of Newburgh, which was erected into a burgh of barony in favour of the monastery. "Almost contiguous to Newburgh East (says Sir Robert Sibbald*), and anciently within Earnside-wood, are the ruins and seat of the abbacy of Lindoris, a right sweet situation, and of a most rich soil, witness the vastly big old pear-trees there. This monastery was founded by David Earl of Huntingtoun, when he returned from the Holy Land, Anno octavo regis Willielmi, some say, Anno 1178, and dedicated to St Mary and St Andrew. The monks were of the order of St Benedict. They were rich, had twenty-two churches, and many lands in several shires. I find, Anno 1208, they had an abbot and 26

* Folio Edition, p. 88.

monks. This abbacy was erected into a temporal lordship in favour of Patrick Lesly, a son of the Earl of Rothes; and the 25th December 1600, he is created Lindoris, and is now the seat of Lord Lindoris, his successor."*

From the new edition of the Statistical Account, it appears that Lindores, though originally surrounded with wood, is now altogether destitute of trees. This is the more remarkable, as, besides the forest of Irnsyde, or Hyrneside, as it is termed in the old charters, there were in the vicinity, the forests of Fyntre and Lundors, over both of which the monks had liberty of forest from Alexander the Third. More recently the convent obtained from James II., on the 20th May, in the fifteenth year of his reign, a grant of the lands of Parkhill, in the county of Fife, "*ac eciam officium Forestarie Silvæ nostre de Irnsyde*," lying within the above named lands. This certainly indicates the existence of this wood in the year 1452, the date of the charter.

We learn from the Book of Lindores, that the Monks had fishings in the Tay—for instance, they had a grant from the Earl of Huntingdon of the Island of Redinche,† and of the fishing on the Tay adjacent, with the exception of a yair [vnam jharam], at a place called Colcrik. They procured from David de Hay a right to a third part of his fishing, &c. upon Resaulim, opposite to Colcrik. It may further be worth noticing, that they obtained from their protector, the Earl of Huntingdon, the right of taking stones, to any extent they chose, for the purpose of building, from his quarry in Hyrneside.

* Folio Edition, p. 158.

† Erroneously termed Fedinche in the Statistical Account of the Parish of Newburgh, recently published.

Declaracio Diffencionis quondam habite inter Abbatem et Conuentum de Lundors et Homines fuos Noui Burgj, &c.

Memorandum, Quod, cum quedam diffenciones feu controuerfie mote effent, inter religiofos viros, Abbatem et conuentum monafterii de Lundors, ex vna parte, et homines Noui Burgi de Lundors ex altera, tandem conuenerunt coram nobili viro, Domino Roberto de Keth, Marefcallo Scocie, et Juſticiario tunc temporis ab aqua de Forthe ufque montes Scocie, et coram aliis quam pluribus fidedignis, in capitulo de Lundors, die Jouis proximo ante feſtum Cathedre beati Petrj, anno gracie M°. ccc°. nono. A quibus hominibus quidem Nouj Burgj, peciit dictus Dominus Robertus, in forma juris amicabiliter eorum infeodacionem, per quam clamabant fe uti priuelegio et libertate burgj: Et infuper oſtenderent rationem per quam fubtraxerant per quinquennium, firmas Abbatis et conuentus dicti monaſterij de Lundors. Quibus auditis, Robertus de Perthi et Willielmus Piſtor, nomine omnium vicinorum dicti Noui Burgj, burgj licentiam petierunt conſulendj, et ad premiſſa reſpondere et licenciam optinuerunt. Habito adinuicem conſilio, de vnanimi conſenſu, predicto domino Reſponſum dederunt, Quod nullam infeodacionem habuerunt de Abbate et conuentu dicti monaſterij nec aliquo alio: Adiungentes, Quod non conſueuerant ſoluere illam firmam, quod dictus Abbas et conuentus exigunt, ab eiſdem, viz. de qualibet bracina dicti Noui Burgj cum acra terre, unam marcam per annum, nec ſoluere volunt in futurum, niſi poſſet reperirj et per fidelem et diligentem inquiſicionem, quod dictus Abbas et conventus predictam marcam conſueuerunt percipere pro dicta bracina et acra terre, ut predictum eſt. Ad quam inquiſicionem faciendam, dicti homines Noui Burgi ſupplicauerunt, per interpoſitas perſonas predictis Abbati et conventui et predicto domino Roberto de Keth, quod ipſi conſentirent. Quorum precibus deuicti, ut omnis ſiniſtra ſuſpicio poterit remoueri et eorum juſticia clarior luce appareret, dicte inquiſitioni faciende vnanimiter conſenſuerunt.

Tunc de mandato dicti Juſticiarij, ſurgentibus quibuſdam baronibus, libere tenentibus et aliis de Fyfe, fidedignis, tam de villa predicta quam de aliis locis, ad dictam inquiſicionem faciendam: Quibus aſtantibus, dixit dominus Roberto de Keth, predictis illis de Nouo Burgo, ſi vellent conſentire omnibus ad dictam inquiſitionem vocatis; quorum nomina ſunt hec: Johannes de Balfoure, Thomas Judex, Keth de Kynroſs, Michael Scotus, Adam de Ramſay, Walterus Seneſcallus, Macolmus de Balmeharg, Galfridus de Freſlay, Patricius de Crambeth, Willielmus Cocus, Patricius Scot, Alanus Marus de Stradmigloche, Mauricius Scall, Patricius Fairhaire, Nicholaus filius Rogerj, Willielmus Syarpe et Joannes filius Nicolai, aut ex certa cauſa aliquo vellent expellere: Quo audito, approbarunt perſonas aſtancium, preter Adam Gray, dicentes, quod dicte inquiſicioni ſtare non potuit, pro eo, quod fuit ſeruus Abbatis et conuentus, et frequenter ſtetit in eorum ſervicio, et repulſus per illam rationem: Alius vero juratus, et cum deliberatione conſultus, dixerunt in virtute ſacramentorum, Quod, a tempore quo non extat memoria, Abbas et conuentus de Lundors receperunt annuatim de qualibet vncia cum acra terre in dicto Nouo Burgo, vnam mercam per annum quouſque ipſi qui nunc ſunt in dicto burgo ſubtraxerunt dictam firmam per quinque annos proxime elapſos. Hec omnia ſuperſcripta fuerunt in craſtinum diej Jouis, videlicet, die Veneris, in predicto capitulo de Lundors, recitata et perlecta, vocatis dictis Abbate et conuentu, vnacum predictis hominibus: In preſencia venerabilis patris Domini Willielmi, Dei gracia Epiſcopi Sancte Andree, nobilis viri Thome Ranulfi, Domini Valteri de Keth et locumtenentis tunc temporis illuſtris Principis Scocie de Forth uſque Orchadiam, Domini Bernardj tunc Cancellarii Scocie, Magiſtri Willielmi de Egliſhame, tunc Officialis Curie Sancte Andree, Domini Michaelis de Wemys militis, et Johannis de Dondemore. Quorum ſigilla una cum ſigillo dicti Domini Roberti de Keth Juſticiarii, in ſignum perpetui teſtimonij preſentibus ſunt appenſa, &c.

BURLESQUE SERMON OF THE FIFTEENTH CENTURY.

BURLESQUE SERMON OF THE FIFTEENTH CENTURY.

The following amusing, but rather coarse, piece of ancient pleasantry, is preserved in a MS. volume, of which the following description is given by Sir Walter Scott, in a letter to his friend, George Ellis, Esq., dated 17th October 1805.*—"Another curiosity was brought here a few days ago by Mr Southey the poet, who favoured me with a visit on his way to Edinburgh. It was a MS., containing sundry Metrical Romances and other poetical compositions in the Northern dialect, apparently written about the middle of the 15th century. I had no time to make an analysis of its contents, but some of them seem highly valuable. There is a tale of Sir Gowther, said to be a Breton lay, which partly resembles the history of Robert the Devil, the hero being begot in the same way, and partly that of Robert of Sicily, the penance imposed on Sir Gowther being the same, as he kept table with the hounds, and was discovered by a dumb lady to be the Stranger Knight who had assisted her father the Emperor in his wars. There is also a MS. of Sir Isambras; *item*, a poem called Sir Amadas—not Sir Amadis of Gaul, but a courteous Knight, who being reduced to poverty, travels to conceal his distress, and gives the wreck of his fortune to purchase the rites of burial for a deceased knight, who had been refused them by the obduracy of his creditors. The rest of the story is the same with that of Jean de Calais, in the Bibliotheque Bleue, and with a vulgar ballad called the Factor's Garland. Moreover, there is a merry Tale of Hunting a Hare, as performed by a set of country clowns, with their mastiffs, and curs with 'short legs and never a tail.' The disgraces and blunders of these ignorant sportsmen must have afforded infinite mirth at the table of a feudal baron, prizing himself on his knowledge of the mysteries of the chace performed by these unauthorised intruders. There is also a Burlesque Sermon, which informs us of Peter and Adam journeying together to Babylon, and how Peter asked Adam *a full great doubtful question*, saying, 'Adam, Adam, why didst thou cat the apple unpared?' This book belongs to a lady. I would have given something valuable to have had a week of it. Southey commissioned me to say that he intended to make extracts from it, and should be happy

* Lockhart's Life of Scott, vol. ii, p. 74.

to copy, or cause to be copied, any part that you might wish to be possessed of—an offer which I heartily recommend to your early consideration."

Besides the articles enumerated by Sir Walter, there is a copy of a very curious poem, entitled Tundale, "a rych man" in "Yrlond," who

> "—— was ay full of trychery,
> Of pryde, of yre, and of envy;
> Lechery was all his play,
> And gloteny he loved ay;
> He was full of covetyse,
> And euer sloothe in Goddis servyse;
> Nor warkis of mercy wold he worch,
> He lovyd neuer God, ne holy chyrch;"

and who, having fallen into a trance, pays a visit to the world of spirits, and witnesses so many wonderful sights there, that, upon returning to life, he turns over a new leaf,

> "And all hys lyffe in holynes ledde."

There is a Latin poem on the same subject, entitled "Tundalus Hibernicus Libellus de Raptu Animæ Tundali et ejusdem Visione, tractans de pœnis Inferni et gaudiis Paradisi,"—printed towards the end of the 15th century, a copy of which is in the Bibliotheca Spenseriana. Whether the English version be a translation of this, or a poem on the same subject, has not been ascertained, as no copy of the printed work is to be found in any of the libraries in Scotland.

Subsequently, through the exertions of Sir Walter Scott, the MS. was acquired by the Library of the Faculty of Advocates, where it presently remains. Weber has printed Sir Amadas, and the Hunting of the Hare, in his collection of Metrical Romances of the 13th, 14th, and 15th centuries. Speaking of the MS. in his introduction, he observes, "The orthography is singularly uncouth, and proves that the transcriber lived in some remote corner of the kingdom, probably the North-west; an aspirate being frequently prefixed to words beginning with a vowel (such as *ha*, *has*, &c.) His name (if it is not that of the minstrel himself) is placed at the end of several of the articles in the MS., and appears to have been Henry Hieg* or Hague.

It is unlikely that the individual, who usually concludes each separate article with the declaration,

> "Be it trewe or be it fals,
> Hyt is as the coopy was"—

was the author. Weber conjectures that the transcriber was a Monk, as there are

* The name is sometimes spelt Hyheg, perhaps the same as Haig, a Border family of great antiquity.

so few romantic legends, and a superabundance of religious matter in the collection. If his view be correct, it is somewhat odd that a burlesque sermon should have been found in such company. Probably the monks had no objection to a little amusement at the expense of their mendicant brethren, and may have considered this drollery as a fair satire upon the popular preaching of the time.

Mollificant olera durissima crusta—Fryndis, this is to ſaye to your lewde vndurſtanding, that hoote cruſſtys makeyn ſofft hard wordys: the helpe and the grace of the grey goſe, that gooſe on the grene, and the wyſdam of the water wynde mylne, with the gud grace of the galon pycher, and all the ſalt ſawſegis that ben ſothen in Northefolke apon Seyturdaye, be with hus now at owre begynnyng, and helpe hus in oure endyng, and qwyte yow of blys and bothe your een that neuer ſchall have endyng—Amen.

My leve, curſyd creaturis, ther was wonys a whyfe whoſe name was Kateryn Fyfte, and ſche was crafty in curtte, and wele cowde carve. Thryce ſche ſende after the iiij Synodes of Rome, to wytte, Why, wherfore, and for what caſe, that Alelya was cloſud, or the cope come wonys abowtte?

Why hopes thou nott, for ſothe, that ther ſtode wonys a coke on Seynt Pale ſtepull toppe, and drewe vp the ſtrapuls of his brech; how proves thou that be all the iiij doctors of Wynberehylls, that is to ſaye, Virtas, Gadatrym, Crumpas et Dadyltrymfert, the which iiij doctors ſaye ther was onys a nolde wyfe hadde a coke to hyr ſon, and he loked owt of an olde dufcowtte, and warnyd, and chargyd, that no mon ſchulde be ſo harde noder to ryde nor to goo on Seynt Paule ſtepull toppe, but yf he rode on a iij fotyd ſtole, or ellys that he broght with hym a warant of his necke, and yett the lewde letherand lurdon went forthe and mette vij acurs of londe betwyxe Dover and Qwykkeſand, and he broght an acur in his necke from the Tour of London vnto the Tour of Babilon; and as he

went be the wey, he had a foole falle, and he fell doun at the Caſtyll of Dover into a gruell potte, and brake bothe his ſchynnys; and becauſe he hadde ſpylt his potage, the toos that he had on his feet flemyd all on red blod.

Here of come tythyngys to the King of Hongre, that all pepull whych myghth not lyghttely come to the Playn of Saleſbere, but the fox and the Grey Convent, ſchuld pray for all the olde ſchu ſolys that ben roſtyd in the kyngys dyſche on Seturday, the whych hemppe greſſe and alſyns that is nedefull and ſpedefull bothe to yow and to me, Y pray yow euerichon, with all the hart in my hele, ſey a paternoſter and an ave for Seyn Cherytre.

Mollyficant olera durissima crusta—Theſe wordys that Y have reherſed above, be with hus now and euer more, Amen.

My leve, curſed catyves, ther was wonys a king, and he had weddyd a yong olde qwene, and this qwene had a chylde, and this chylde was ſent to Syble the ſage, praying that Sibell the ſage, ſchuld gyve to it the ſame bleſſyng that God gave hur, becaſe ſche bote hym be the hele.

Here of ſpekys a worthie Doctur Radagundys, ſuperatibus potatorum nolite tymere. This worthi doctur reherſus and ſeys, he ſaw wonys a nolde wyfe gwo vij yere be the ſey ſyde, and of all that ſeyd vij yere ſche had no more for to do but for to take a fart in a ſchowe nette.

Syrs, Y rede alſo that ther was wonys a kyng, and he made a gret feſt, and he had iij kyngys at his feyſt, and theſe iij kyngys ete but of won gruell dyſche, and thei ete ſo mykull that ther balys braſt, and owt of their balys come iiij and xx^{te} exon playing at the ſword and bokelar, and ther wer laſt no moo on lyve but iij rede heyryngys, and theſe iij reyd heryngys bled ix days and ix nighttis, as it had ben the cawkones of horſe ſchon.

Syrs, what tyme that God and Seynt Peter come to Rome, Peter aſkud Adam a full greyt dowtfull queſtion, and ſeyd, Adam, Adam, Why ete thou the appull vnpard? For ſothe, quod he, for Y had no wardynes fryde. And Peter ſaw the fyr, and dred hym, and ſteppud in to a plomtre that hangud full of rype redde cherys. And ther he ſee all the perretis on the ſee—ther he ſaw ſtedys and ſtockfeſche pryckyng ſwos in the water—ther he ſaw hennys and heryngys that hvntod after harys in

heggys—ther hee fee elys roftyng larkus—ther he fe how haddoccys wer don on the pelare for wrong roftyng of may butter—ther he fe how bakers boke butter to grece with olde monkeys botys—ther he fe how the fox prechyd, and charged and commanded that noo mon fchuld be fo harde nowder be day ne be nyght for to pyffe wakon.

And alfo that euery mon fchuld tye his ratons and his myfe with a hors nyght cappe—that is to fay, with a hors halter.

Syrrys, thynke not lonke, and Y fchall telle yow a fleveles refon and make a neynd. Anon drynke thou to me, and Y to the, and halde the coppe in a re. Why mowre in are then in bemy, for fothe for euery clerke that can rede and fyng feyth, that ar gothe befor bemy, and yf thou have a grette blacke bolle in the honde, and hit be full of gud ale, and thou leyve any thyng ther in, thou puttis thi fowle in to grete pyne; and ther to accordes. Two worthi prechers, Jacke A-throm and Jon Breftbale, thefe men feyd in their Bibull that an ill drynker is vnpoffibull hevon for to wynne; for God luffus noder hors nor mare, but mere men that in the cuppe con ftare, and them that all nyght wyll fytte vp and drynke—them forgyves he ther fynne.

Syrs, and all the fotys of this town wer don in a dongeon, and the devyll hem among with his club in his hande, he wold make hom all to cry

> Miserere nostri vse soter babilorum,
> Leva fuse blecstyk filiorum,
> Et conquister,
> And of a sowter have we greyt myster.

Arevette boot trynkete, feyd the fotur, when he boot of is wyfe thombe harde be the elbow. Quod Jac Stramen—Amen.

VERSES AND LETTER
FROM MR JOHN EDMESTOUN
TO KING JAMES VI.

VERSES AND LETTER FROM MR JOHN EDMESTOUN TO KING JAMES VI.

The ensuing verses, and letter, addressed by Mr John Edmeston to James VI., occur in one of the volumes of the Balfour MSS. in the Faculty Library. The Editor has been unable to obtain any information as to the writer, who, it seems, incurred his Majesty's displeasure, in consequence of having written certain verses "anent the estate and policy of Edinburgh." It is possible he may be the John Edmonston (the same name as Edmestoun) mentioned in a parliamentary ratification,* in favour of Mr, afterwards Sir Thomas Hope, and his son, John Hope, of a charter of alienation and vendition, dated 29th May and 1st June 1612, made by Andrew Edmonstoun of that Ilk, Mary Gordon, his spouse, and John Edmonstoun, his eldest son, of the Lands and Mains of Edmonstoun—the Lands of Cauldcoittes, holding of Queen Anne, as Lady Dunfermling, and of a third part of Niddry Marischall, in warrandice of Cauldcoitts.

Vnto the Kingis moſt facred Majeſtie, moſt excellent and wordie King James off Gritt Brittane, France, and Irland, Supreame Defender off the Faithe: To moſt Renouned Quein Anna: And, off admirable expectatioun, Henrie, the 3oung Prince.

To King James.

I In Caledon, that kein, onconquered land,
A Amiddis the broyllis off inteſtein diſcord,
M Moſt miſerable, our ſtakeran ſtaitt did ſtand,
E Exylid quhen peace, and baniſched concord.

* Scots Acts, folio edition, vol. iv. p. 489.

S So gracius ȝit wes God, our loving Lord,
S Saiffing our ſtaitt frome exterminioun,
T That he us bliffit, quhen maiſt we did debord,
E Extending Peace to this Dominioun.

W Wordie ſcho wes off prais—defervid opinioun
A Admired heir, heiche honored far fra hame,
R Ritche cheiff in that, ſince ſcho brocht furthe the Vnioun,
T. Tymis long-expected chyld, Theateris theame ;
R^{oy}_{ex} Roſis and Race heiche Henrie cauſed conjoyne,
Britt. Brittan, King James, France, Irland, all in one.

To Quein Anna.

Q Quhen proud Appelles off prudent painteris cheiff,
W Wes myndit moſt, to ſchaw his maſtres hew,
E Exceiding ſcho his ſkill, he grew to greiff
I Inſtead off hir, onlie a vaill he drew.

N No painter, the can place in publict vew,
A (Admired Madame, the worldis moſt fareſt fair),
N No Herald the advance, withe wordis anew,
N No Poett can thy vertewis woorthe compair.

A All thingis concurris to mak the moſt preclair,
O Off hevin and earthe, the gracius influence,
F Fortoun and fame, honour, thy handmaidis ar,
Gritt. Grit giftis the gevin, witt, vertu, ſapience.
Brit. Bliffid, becaus a kingis moſt vertewus wyiff,
Ritcher, becaus thy birthe endis Brittanis ſtryiff.

To Prince Henrie.

H Heiche ar thy hoipis, Heroik Henrie heir,
E Extract off princelie puiſſant pedegrie,
N No prince on earthe can counted be thi peir,
R Renowned ſo richt, ſo dew in thair degrie.

I Inviolable the hevinis the did decrie,
S Subleime in ſpreitt, moir famus far in fame,
T Tyme fall the try, heiche, hardie, famus, frie,
E Endewed by dew with durable diadeame.

W Worthie thow art King Arthuris croun to claime,
A Admired is thy gritt progenitor,
R Renowned moir fall be thy glorius name,
T Thow fall furpaſs all Henrys the befor;
Prine. Poettis fall prais thy gritt and guid ingyne,
Britt. Brek giff thow'ill no, thy Syreis princelie propyne.

To the Kingis most Excellent Majestie.

Redowted Roy, renowned throw regiouns all,
Quhar ſein and ſchynis ſphear-poſting Phœbus face,
Moſt puiſſant people, commanding with a call
Long furius fois, vniting now be peace.

All-gyding God hes gevin the gritter grace,
Then hundrethis mo, Anteceſſouris in thi ſteame,
No prince on earthe can reckin ſic a race,
So long a lyin, ſo dew a diadeame.

Wordie they war, far nobler is thy name,
Onconquered they, by peace thow conqueris kingdomes,
This cheifflie crounis thy never dying fame,
Thy ceptur dois mentein the Goſpellis fridomes.
The Trewthe come in, continewis, ſtandis with the;
If it furceas, the ſtait tranſchengit ſall be.

That Monarche gritt, curagius Conſtantein,
In woordines all Empriouris excellit,
Advanced Godis worde, proud princes all expellit,
Quhen all the warlde in vyce wes ſwelling ſein.

Thow moir furpaſt all kingis in Brittan bein,
Or now that ringis the vniverſe thrucheoutt,
In thy perſoun ma excellis out of dowtt,
Moſt to rejois, leſt caus for to complein.

I dar affirme, fearche ſpacious Europ clein,
None ſall be fund, quhen ſtrictly all refyned,
To vertewis mo, to fewer vyce inclyned,
Cepteris to ſwey, a meitter man I mein.
This honour heir, zour hienes will retein,
Your glorie grow, and floreiſche ſall ay grein.

Wordie King David, Jehovah's Godis delyitt,
Efter he wes with ſacred oyll anoynted,
Off trublis ſuſteined the turbulent deſpyitt,
Becaus he wes for gritter turnis appoynted.

O puiſſant Prince! the Lorde off Hoſtis beloved,
Thou eſkepped hes a varie warld of dangeris,
Quha ganiſt the rais, all viſiblie reproved;
Admired at hame, advanced moſt with ſtrangeris.

Ȝit worthier warkis thenis paſt thy faittis inferris:
Thy birthe, thy lyiff, thy long-foir-ſpokin glorie
Fra infancie quhill now, quha all conferris,
Sall rairlie reid a mair remarcable ſtorie,
For benefeitis and preſervations all,
For thankfulnes onlie, the Lorde dois call.

Approved politikis, quha princis maſt wald praiſe
Cheifflie a king, for clemencie commendis:
Thy buntie brave, quhat herald half can blaiſe,
No prince with the for clemencie contendis.

Thea Monarkis meaſt, quhom mercie caufed admeir
Cyrus the Grit, fweitt Schipio and Cæſar,
Antigonus, proud Philipis fone, bot peir,
Auguſtus als can not with the compeir.

Quhair fall we reid, or regiſtrat it find,
Sic rareſt rewthe as Wincheſter brocht furthe,
Quhat freindis to the did, firme that buntie bind,
The world vonderis the volume off thy woorthe.
Thy vertewis all, thy clemencie decoris;
Mercie to me, my ſimpill pen imploreis.

The Sorrowfull Suitter, His most Humbill Supplicatioun.

In dungeoun dark, worne, vexed with annoyis;
In perſoun pyned, in mynd captived with cair;
In fetteris faſt; ſequeſtrat ſad fra joyis;
I vaill for woo, and murnis ay mair and mair.

Quhilk hevin beholdis, can keip feallit my fair
My tragedie, that is come to end almoſt
Of forrowis ſad; my chroniclifed quair
For cautiounrie and civill cauſis croſt.

Imperius Prince, quha lyiks to faiff what is loſt:
Reclaime my daithe; off lyiff prolong my daitt.
Thy pitie I's proclaim in everie ouncow coſt;
Thy wordines I's pain my pen to wreatt.
I humblie crave exyilment for to bear,
In fartheſt feildis to prais the for to lear.

Vnto your earis give wingitt report hes brocht,
Thea inuective verſis off a novices vain;
That taſk for me untymuſlie foirthoicht,
The abortiue birth of a moſt barren brain.

Sir, I proteſt, as God me faif from pain
(Wicked invy may quhat it pleaſe invent),
In this matter, quhatt publictis maid and plain,
Sair gainſt my will, my knawlege, and conſent.

Moſt facred Sir, it was not my intent,
Jehova knawis, that it fould publict bein;
Rubbed be rapt, quhilk I full foir repent,
Be ſic as feikis to trubill me with tein.
In this, on Godis directioun, I'll reſt
Vnto his awne, quha all workis to the beſt.

I wreat thea vearſe, I can not weill deny,
My conſcience, with michtie motiouns moved,
Mynding to nane thir malice or invy,
Onlie the fin, the perſouns not reproved.

Zour Majeſtie, the michtie Lordis beloved,
Sacred perſoun, progenitouris, and ſteat,
I preas to praiſe, becaus ſo me behoved;
Quhill lyiff dois leſt, I will thy vertewis wreatt.

In quhatis offence for pardoun I intreatt,
To leive, to mend onlie is my deſyir.
The egill ſchamms againſt a flie to freatt,
Too baſe I am for mychtie Cæſaris yre.
Me to preſerue, iff it your hienes pleas,
I vow, or long, your wonderus woorthe to reaſe.

Your Majeſtys maſt obedient, maſt humbill, and maſt
loyall ſeruand,

M. Jhone Edmestoun.

May it please zour most Sacred Majestie,

It can not bot ſeime grit preſumptioun to your heines, that I (of all miſeris the moſt miſerable) ſuld be ſa bauld as to dar adventour to appeir in zour hienes preſence, or to offer onie thing flowing fra me to zour hienes vew; bot thairunto urgit be a coacted and forcible neceſſitie, fair againſt my will (quha vtherwayis culd haue bein content to have leived obſcuir fra your Majeſtijs ſicht and excellencys cenſour) in conſideratioun of zour Majeſtijs clemencie, and euer favorable countenance to the gritteſt offenderis, ſpeciallie to ſic as reſinges thame ſelffis, perſoun, ſtait, and caus in zour Majeſtijs mercifull handis, I am incurraged to mak manifeſt the trew affectioun of ane loyall and moſt humblie diſpoſed ſub-

jeƈt to your ſoveranitie (off all potentatis the moſt wordie), and in ſome ſort to vindicat myſelf fra onie evill informatioun maid, preocupyed opinioun conſaved, or juſt offence tean againſt me, in onie thing quhilk can concerne 3our hienes. Quhat my moſt humbill obedience to 3our Majeſtie, as my moſt gracious ſoveran, my inteir affeƈtioun to 3our hienes as a Scottis-borne king, my moſt dewtifull and reuerend reſpeƈt to 3our grace, as the Lordis anoynted, loue-tenand and vice-gerend, in all thir dominiounis, quhairinto, in exceiding grit mercie, the Lord hes callit and preferrit 3our hienes, and quhat my erneſt prayeris and continuall ſupplicatiouns to God, for 3our Majeſtie, ar, and hes euer bein, I wiſs fra my hart the inwarde off my mynd wer deciphered and maid manifeſt to 3our Majeſtie, wer notour and knawin to all the world, and I myſelf ſo tranſparent that euerie ane micht ſie the hid corneris, and knaw the inward ſecreittis off my hart. And ſince I haue begone now to ſchaw my ſelfe, to putt furthe and preſent my ſuit befoir 3our Majeſtie, I am bauld ſchortlie to twitche my eſtait, accuſatioun, and reſolutioun. As for me (if it lyik 3our grace), I am a young man, a ſtudent, having gottin ſome ſmall tinƈtur in lerning, carijng a erneſt intentioun, and ſtudious indevoir to be a ſcoller, bot croſſit euer ſa ſince my 3eiris of diſcreitioun, with the turbulent ſpeitris and inundatiouns off troublis, that I haue had na relaxatioun, libertie, and tyme, for the ſtuddie of letteris, and cheifflie hes remaned a priſſoner this heall 3eir bygain, within the tolbuithe of Edinburgh, in extreame miſerie, for ſome civill cauſes and cautionrijs faliin out by my expeƈtatioun; and, giue the matter wer richtlie weyed, and favorablie tryit, ſa, as I am blameles. As to my preſent chellenge and accuſatioun, I am fra my hart maſt ſorie, that ather the report or ſicht (giue the ſame hes come to 3our heines eys) off ſo ill proportioned, confuſed, and abortive a birthe, ſuld come to 3our Majeſtijs preſence, or ſuld be fathered vpon me; bot to acknowlege my onvorthines to confes my falt, and to be plain with 3our Majeſtie, the trewthe is, that being challengit and examined in this matter, altho I micht have bein ſilent and keipit my ſelfe cloſ; bot to mend a falt with a gritter, a lie, and depoſitioun off the untrewthe, I wes aſchemed, and thairfoir vpon hoip and proteſtatiounis maid be theme

quha examined me, that they defyrit onlie to haue it concealit (quhilk thi promiſed, and efilie micht haue ſtayit that nane had ſein the ſame), I confeſſit to thame the ſimpill trewthe, that indeid be inſtigatioun of a compellit and moued conſcience, reſpecting onlie zeale to Godis glorie, deteſtatioun of vyce in everie manis perſoun, bot prejudice or invy carijt to the perſoun, I had wreattin the verſis anent the eſtait and policie of Edinburgh, onlie for my awne privat vſe, not being off intentioun (as the Lord knawis), that the ſame ſuld come furthe, or I to be challengit for the ſame, the coppie being ſtollin fra me, and putt in theſe magiſtrattis handis: Qhairinto iff I haue offendit 3our hienes, I proteſt befoir God (quha knawis, and a day will judge the ſecreittis off all hartis), it is the thing wes far fra my mynd and intentioun. I maſt humblie acknawlege my errour, confeſſis fra my hart my falt, and am maſt ſorie for the ſame, maſt humblie cravis and beggis pardoun, and to the uttermoſt and extremitie of my power ſall mend quhatt is amiſs. As to the laſt, my reſolutioun is firſt to attend, reuerence and fullie acquieſs in the Lordis graeius will with me, becaus inevitable, and the onlie weill of his awne, and nixt to avayit 3our hienes pleaſour with me, ever earijng that mynd, and being ſa diſpoſed, giue it pleas 3our hienes to ſpair me, quhill my braithe remains, prodigallie to imploy hart, hand, and pen in 3our Majeſtijs ſervice. To end, my maſt humbill ſuit is (iff it may ſtand with 3our Majeſtijs pleaſour and lyik your clemencie), that I may be exyled fra the place off my nativitie, 3our Majeſtijs heall dominiouns, that in moſt remoitt and forren euntrijs, I may prais 3our Majeſtijs worthines, quhilk benefeit I ſall euer ſa account off, as the woorthe of my lyiff can be off me eſteimed and extend to, and ſall euerie quhair publeiſs the ocean of 3our Majeſtijs clemencie. Referring my caus and reſinging my ſelfe holie and ſimpliciter in 3our Majeſtijs mercifull handis, in all humbleſt humilitie, I kiſs 3our Majeſtijs handis, beſeiking ever the Almichtie for the continuatioun and proſperitie of 3our hienes guid ſucces and happines here, the peace and proſperitie of Chryſtis churche within all 3our Majeſtijs dominiouns, the weill of 3our hienes ſtait, Quein, and poſteritie, in

this lyiff, and onſpeikable and everleſting conſolatiouns efter this lyiff in hevin, reſtis euer

Zour Majeſtijs (altho euerie wayis onvorthie) zour Majeſtijs maſt obedient, maſt humbill, and maſt loyall fervand,

M. Jhone Edmestoun.

Frome the Tolbuithe of Edinburgh,
15 November 1607.

To the Kingis moſt Excellent Majeſtie.

ACCOUNT OF THE LAST MOMENTS OF QUEEN ANNE OF DENMARK.

ACCOUNT OF THE LAST MOMENTS OF QUEEN ANNE OF DENMARK, 27TH MARCH 1619.

The ensuing account of the last moments of Anne of Denmark, the Queen of James VI. of Scotland, is taken from a MS. in the collections of Sir James Balfour of Denmylne, Lord Lyon King at Arms, now in the Library of the Faculty of Advocates at Edinburgh. From the minuteness of detail, it is exceedingly interesting, and on that account has been awarded a place in the present collection. It appears to be a copy of a letter from one of her Majesty's attendants to a foreign lady of rank, but there is neither signature nor address.

In the Quarterly Review for April 1837, there is an article upon the second and third volumes of Professor Ranke's History of the Popes, their Church and State, during the sixteenth and seventeenth centuries, in which it is remarked, in reference to the amicable feeling supposed to be entertained by James the Sixth towards the Romanists,* that there is one fact with regard to the King's family "unnoticed by Mr Ranke, as well as by our native historians (so far as our memory extends), which is of some importance, not so much on account of the weight and influence of the person, as indicating the successful system of proselytism pursued by the Vatican. Anne of Denmark, James' Queen, was a secret Roman Catholic, in regular correspondence, receiving letters and indulgences from Rome. The authority for this fact may be found in Galluzzi's History of the Grand Duchy of Tuscany (vol. iii, 318, 323, 4to edition), almost the best historical work, we may observe, in the Italian language." The reviewer farther states, that Anne conducted her correspondence through Ottaviano Lotti, Secretary to the Florentine embassy—that the object in view was the marriage of Prince Henry with Catherine de Medici, but that the Pope refused to give his consent, although the Queen had sent him an autograph letter, in which she declared herself his "obedientissima figlia."

* The assumed attachment of James VI. to the Scarlet Lady is somewhat problematical. There is no doubt that, prior to his accession to the English Crown, he used his best endeavours to propitiate foreign princes; and his negotiations with M. de la Jesse (whom he designates as "Our quintessencit Frenche man"), to have his title "blawn abroad," and with various other individuals, prove this. (Analecta Scotica, vol. i, p. 328–9. Edin. 1834, 8vo.) The King, whom it is the fashion now-a-days to ridicule, was a shrewd and politic man, not likely to stickle at trifles, and he naturally wished to secure as many supporters of his claim to the Crown of England as he could. We have no doubt, if he had imagined the Grand Seignior could have helped him, he would have professed to him as sincere a veneration for the religion of Mahomed, as he may have done, and we believe actually did, to the Italian princes for that of the Roman Catholics.—P. 396–7.

We are inclined to think that Anne's Catholicism is too broadly asserted, and the Pope's refusal to sanction the proposed marriage would imply, at least, that his Holiness had no very high opinion of her sincerity. If she had a regular correspondence with his Holiness, how comes it, that Ranke, who examined the documents in the Vatican, and who has disclosed so much curious information from that source relative to English affairs, should have found no traces of it? It is not unlikely that her Majesty may, to suit the object she had in view, have professed a zeal for Popery, but that she ever was a "secret Roman Catholic," we question very much.

Indeed, the present paper, if genuine, and there is no reason to doubt its authenticity, settles this fact, that whatever she may have professed during the previous part of her life, she died a Protestant, attended, during her last hours, by the Archbishop of Canterbury and Bishop of London, who prayed beside her, "*and word by word scho followed them.*"

Her Majesty, at the period of her demise, was in her forty-fifth year. The following character of Anne, by Arthur Wilson, is entitled to considerable weight, coming as it does from one who, judging from the tone of his history, was not disposed to view royalty with a very favourable eye:—

"She was, in her great condition, a good woman, not tempted from that height she stood on to embroyl her spirit much with things below her (as some busy-bodies do); onely giving herself content in her own house with such recreations as might not make time tedious to her: And, though great persons' actions are often pried into, and make envies mark, yet nothing could be fixt upon her that left any great impression, but that she may have engraven upon her monument a *Character of virtue.*"

* The History of Great Britain, being the Life and Reign of King James the First, relating to what passed from his first accesse to the Croun, till his death. London: 1653. Folio, p. 129.

Madame the Quein's Death, and Maner thairof.

Whair your Ladyſhip deſyres to be ſatiſfied of the forme of hir Maieſties deathe, it was thus. Scho wes reſſonable weill recouered to the eyes of all that ſaw hir, and came to hir drawing chalmber, and to hir gallerie everie day allmoſt, yit ſtill wayk of hir leggs that ſcho could not ſtand wpone them, neither haid ſcho anie ſtomock for hir meat, the ſpaice of ſax weaks befoir ſcho deyed. Bot this was knowen to none bot to your contrie man, Pira, and the Duche woman that ſerues hir in hir chalmber. They keipit all cloſſe frome the Phyſitions and everie bodie ells: none did ſie hir eat but they two. In this meane whylle was ſcho making preparatioun for the King of Denmark at hir hous of Otlands this ſummer, and wpone the xxij of Februar ſcho tuik a fluxes vehementlie, and a cough which ſcho hes haid all this winter, which is now ſeine to be the cough of the lunges by a conſumptioun. Scho tuik hir bed, and cauſed ſet wp the bed that ſcho luifed beſt. On Moneday morning ſum did adverteis the Prence, by hir knowledge, and he came to hir. Before him came the Biſchope of Canturburie and the Biſchope of Londoun: one tells hir that they war deſyrous to ſie hir, and ſcho bade bring them in. They kneiled at hir bed ſyde, and began to ſpeik in this maner: Madame, we hope that as your Majeſties ſtrenthe failles outwardlie, your beſt pairt groweth ſtrong; and thairefter ſaid a prayer, and word by word ſcho followes them. Then the Biſchope of Canterburie ſaid, Madame, we hope your Majeſtie doeth not truſt to your awin merites, nor to the mediatioun of Santes, bot only by the bloode and merits of our Saviour, Chryſt Jeſus, yow ſall be ſaued. I do, ſcho anſweres, and withall, ſcho ſayes, I renonce the mediatioun of all Santes, and my awin mereits, and does only rely wpone my Saviour Chryſt, who hes redeamed my faull with his bloode. This being ſaid, gaif a great ſatiffactioun to the Biſchopes, and to the few number that hard hir. Then the Prince wes brocht in to hir, and ſcho maid him welcome, and aſked him how he did: he anſwered, at hir ſerueice, and two thrie idle queſtions mirrilie. Then ſcho baid him go home. No, he ſayes, I will wayt wpone your Maieſtie.

Scho anſwered, I am a prettie peice to wayte wpone, feruand (for ſcho ever called him ſo). Scho baid him go to his chamber, and ſcho wald ſend for him againe: he went. Then the Biſchope of Canterberie came to hir, and ſayes to hir, Madame, all I haive to ſay to your Maieſtie is, to ſett your hert wpone God, and remember your poor feruands. I pray yow (ſcho ſayes) go home now, and I will ſie yow wpone Weddinſday. This wes Monday in the efternoone. He went away. Then the Biſchope [of] Londown, a verie good man, ſayes to hir, Madame, ſett your hart wpone God, and forget theſe tranſitorie thingis. I do, ſcho anſwered. Scho bade him go home till Weddinſday. No, he anſwered, Madame, I will wayte wpone your Maieſtie this nyght. Hir deſyre to hawe them gone, wes, becaus their was no ludgingis for them thair, nether did ſcho find ſuche wayknes in hir ſelf.

The Prince went to his ſupper: the Biſchope of Londown went to his: the lords that wes thair to theirs, and the ladyes: the Erle of Worce[ſter],* the Erle of Leyſter, the Lord Carie. The ladyes wes the Counteſſe of Arundale, the Counteſſe of Bedfoord, the Ladie Ruthwen, the Ladie Carie. Thir was all, and the Counteſſe of Darby that came that ſame day, in the efternoone. And the Queene being unwilling to ſpeak to any, ſcho ſend to hir and deſyred to hawe the honour to ſie hir ones: ſcho wes denyed; yit did ſcho importune the Queene. Then ſcho wes broght in, and the Queene did aſk hir two or thrie mirrie queſtions, and bid hir go to hir ſupper. Efter ſupper, the Prince was broght in to hir, bot did ſtay no tyme. The lords wes verie deſyrous to hawe hir mak hir will. Scho prayed them let hir alone till the morrow, and then ſcho wald, they did imagine becaus Moneday was a dyſemell day. Still hir voyce wes ſtrong, but all hir bodie cauld, and feit, or none durſt go into hir for feare to offend hir. We ſtayed all in the chamber nixt to hir bed chamber till ſcho ſend a command to ws to go to bed, and would not ſuffer ws to watch that nyght; only the phyſitions in the nyght came to hir about twelf a clock: ſcho callis for the wenche that ſat by hir, and bids hir fill ſum drynk to weſche hir mowthe: ſcho broeght hir a glaſſe of Reyniſch wyne

* Torn in MS., but probably "Worcester."

that ſcho drank out, and ſayes to the woman, now hawe I deceaved the phyſitions. Then ſcho bids the woman ſleip by hir, and in ſeing hir ſleip, ſcho wald ſleip; but within a quarter hour efter, ſcho called againe to the woman, and bids hir bring ſum water to waſche hir eyes, and with the water, ſcho brocht a candle, but ſcho did not ſie the lyght, and aſked the woman for a lyght. Scho anſwers, their is one heir, Madame, do you nocht ſie it? No, ſayes the Queen: then the woman called in the phyſitiones, and they gott hir a cordiall, and ſend for the Prince, and for the lordes and ladies. This wes about one a clock. Scho layd hir hand wpone the Prince his head, and gaif him hir bliſſing. The lords preſented a paper to hir, and ſyne ſcho did it as ſcho could, but hir ſyght was gone, whiche was to leaue all to the Prince, and withall hir ſeruands to be rewarded. Then the Biſchope of Londowne maid a prayer, and we all ſatt about hir bed and prayed: And when hir ſpeiche was gone, the biſchope calles to hir, Madame, mak a ſigne that your Majeſtie is one with your God, and longes to be with him. Scho held wp hir hands, and when the one hand failled ſcho held wp the other, till they bothe failled. To the ſyght of all that looked on hir, hir hart, hir eyes, hir face, was fixed wpone God, and hir tounge, whylle ſcho haid ſtrenthe, expreſſed ſo muche; and, when that failled, her hands: And when all failled, the biſchope maid another prayer, and ſcho lay ſo pleaſantlie in the bed ſmyling, as if ſcho haid no paine; only, in the laſt, ſcho gaiue five or ſix lytle groanes, and haid the pleaſanteſt going out of this wordle that ever any body haid; and two dayes efter looked alſweill [as] ſcho did at any tyme this two yeir. But this loſſe is all moſt forgotten, by feare of a greater loſſe. The King hes beine extreame ill, and never King more regreated by the beſt ſorte; but, prayſed be God, on Good Fryday he began to recover, and now, I thank God, they ar paſt fear. Madame, this nobleman can better informe your ladyſchip nor I can writ. I can ſay no more at this tyme, bot remayne

Your ſeruand.

Frome Denmark Hous, the
27th of Mairche 1619.

THE

TRIAL OF MUNGO MURRAY FOR ASSAULTING THOMAS SYDSERF, COMEDIAN.

IV. AND XI. JUNE M.DC.LXIX.

THE TRIAL OF MUNGO MURRAY FOR ASSAULTING THOMAS SYDSERF, COMEDIAN.

Thomas Sydserf, or St Serfe, is represented by Arnot, in his History of Edinburgh,* to have been a son of Thomas Sydserf, Bishop of Galloway, and afterwards of Orkney, who died in the year 1663. The same writer states that he was the publisher of the "Mercurius Caledonius, comprising the Affairs now in agitation in Scotland, with a Survey of Foreign Intelligence."

During the great Civil War, St Serfe adhered to the Royal cause, and served under the Marquis of Montrose. This fact is proved by a passage in his dedication of the "Entertainments of the Cours†" to the second Marquis, in which he asserts that he had the honour of employment under his father's command, both at home and abroad. According to Coxeter, he acted at one time as a spy, and he gives as his authority the "Covent-Garden Drollery," 8vo, 1672, p. 84, where it is said,

> "Once like a *pedlar* they‡ have heard thee brag,
> How thou didst cheat their sight, and save thy crag;
> When to the great Montross, under pretence
> Of godly *bukes*, thou broughtst *intelligence*."

The dedication alluded to is somewhat curious, and contains many particulars relative to Montrose, which bear the stamp of authenticity, as coming from one who had been much about his person. St Serfe observes, that the camp of the Marquis "was an Academy, admirably replenished with discourses of the best and deepest sciences, whose several parts were strongly held up (under him, the head) by those knowing, noble souls, the Earls of *Kinoul* and *Airly;* the Lords of *Gourdon, Ogilvy, Naper*, and *Maderty;* and the two famous *Spottswoods* (Sir Robert and his nephew), whose learned heads were too precious to be cut off by them who knew not how to understand them. This I am bold to mention, because such noble discourses banish from his quarter all obscene and scurrilous language, with all those offensive, satyrical reflections (which now are the only current wit among us); and if any such peep'd forth in his presence, his severe looks told the speaker it was unwelcome."

* *Arnot's* Hist. of Edinburgh, 4to, p. 455.

† The following is the title of this book:—"Entertainments of the Cours; or Academical Conversations, held upon the Cours at Paris, by a Cabal of the principal wits of that Court; compiled by that eminent and now celebrated author *Monsieur de Marmet*, Lord of *Valcroissant*, and rendered into English by Thomas Saint Serf, Gent. London: printed by T. C., and are to be sold at the Three Pigeons, in St Paul's Churchyard. 1658."

‡ The Covenanters.

After the Restoration, St Serfe probably experienced the neglect, which, with a few exceptions, was shewn by Charles II. towards the supporters of his cause, as he next appears on the stage of life as manager of a company of comedians, in a theatre in the Canongate of Edinburgh. It was during the period of his mimic reign that the assault was committed upon him, the particulars of which are fully detailed in the account of the trial now for the first time printed from the records of the Court of Justiciary. As materials for the history of the Drama in Scotland are exceedingly scanty, it is presumed that this small addition to them may not be unacceptable; the more especially as St Serfe's Theatre seems to have been the first one ever regularly established in that country. Unquestionably, during the reign of King James VI. and antecedently, traces of casual visits of comedians are to be found, but it is believed that St Serfe was the first person who ever attempted to establish anything like a permanent dramatic establishment.

St Serfe did not confine his love of the Drama to the mere representation of the works of others, but he was himself an author, and his comedy of "Tarugo's Wiles*" was received with great applause, at the Duke of York's Theatre, where it was acted in the year 1668. The Earl of Dorset, then Lord Buckhurst, whose lyric poems are said by Dryden to be "the delight and wonder of this age, and will be the envy of the next," honoured St Serfe with the following lines on its publication:—

Tarugo gave us wonder and delight,
When he oblig'd the world by candle-light.
But now he's ventur'd on the face of day,
T'oblige and serve his friends a nobler way;
Make all our old men wits, statesmen the young,
And teach ev'n *English* men the *English* tongue.

James, on whose reign *all peaceful stars did* [illegible]
Did but attempt the uniting of our Isle.
What Kings and Nature only could design
Shall be accomplish'd by this work of thine.
For who is such a Cockneigh in his heart,
Proud of the plenty of the Southern part,
To scorn that Union by which he may
Boast 'twas his countryman that writ this Play?
Phœbus himself, indulgent to the Muse,
Has to thy country sent this kind excuse.

* Tarugo's Wiles, or the Coffee-House, a comedy, as it was acted at his Highness the Duke of York's Theatre; written by Tho. St Serfe, Gent. London: printed for Henry Herringman, at the sign of the Anchor, on the Lower-Walk of the New Exchange. 1668. 4to.

‖ The motto borne by King James I. was BEATI PACIFICI.

Fair Northern Lass, it is not thro' neglect
I court thee at a distance, but respect,
I cannot act, my passion is so great,
But I'll make up in light what wants in heat.
On thee I will bestow my longest days,
And crown thy sons with everlasting bays.
My beams that reach thee shall employ their pow'rs
To ripen souls of men, not fruits or flow'rs.
Let warmer climes my fading favours boast;
Poets and Stars shine brightest in the frost.

Taking these as a sample of the noble Lord's verses, we should be inclined to think that the praise of the Laureate was in no small degree influenced by the rank of their author.

"Tarugo's Wiles" is a very lively and entertaining comedy; and the only dramatic production with which we are acquainted from the pen of St Serfe. It is, say the authors of the Biographia Dramatica, partly "founded on a Spanish comedy called *No puede ser;* or, *It cannot be;* from which, or from the piece before us, Mr Crown has borrowed his *Sir Courtly Nice*, at least as far as relates to Lord Bellguard and Crack, which are extremely resembling Don Patricio and Tarugo in this." This somewhat clumsily expressed insinuation against Crown is unmerited, for he assures us, in his dedication to the Duke of Ormond, that Sir Courtly Nice* was written at the request of Charles II., and that his Majesty, whose greatest pleasure from the stage was in comedy, "lately gave me a Spanish play called *No puede ser;* or, *It cannot be;* out of which I took part o' the name and design o' this." This, we presume, is a sufficient answer to the charge of plagiarism brought against Crown, who, as a comic writer, is entitled to take his place beside either Dryden or Shadwell. It is, however, a curious circumstance, that Charles should have recommended an adaptation from the Spanish play in question, when there was one, and a successful one, already. This would induce a suspicion either that "Tarugo's Wiles" had never attracted his Majesty's notice, or else that its popularity was short lived, and that its existence had been forgotten by him.

The authors of the Biographia Dramatica further observe, that St Serfe's Comedy, "if not entitled to the first, may, without presumption, lay claim to a place in the second rank of our Dramatic writings," and represent the Coffee-house scene in the third act as "admirably finished." From this opinion we see no reason to dissent. The piece is inscribed to George Marquis of Huntly, and in the concluding

* Sir Courtly Nice; or, It cannot be; a comedy, as it is acted by his Majestie's Servants, written by Mr Crown. London, 1685. 4to.

part of the dedicatory address, the author again alludes to his service in the north. He says, "This same comical trifle, which I dedicate to your recreation, like most other plays, has its useful moralities. If the way I have used in ordering them be satisfactory, I esteem myself happy, humbly begging your honour wou'd be pleased to accept of it as a small part of the great thankfulness I owe for the many reliefs, shelters, and protections I received from your family during the time of his Majesty's service in the north of Scotland."

In the verses by Lord Dorset (written in 1668, as the inscription bears, upon occasion of the representation of Tarugo's Wiles at the Duke's Theatre), St Serfe is called "Sir Thomas," and upon this evidence only he is styled a knight in the Biographia Dramatica. That he may have subsequently received such a mark of Royal favour is possible enough, but most assuredly, at the time his play was acted and published, he was merely "Thomas St Serfe, Gent." At a later date, viz. the month of June 1669, he still remained without such title, for, in the indictment at his instance, he is termed "Thomas Sydserff, brother-german to Dr Sydserff." We very much suspect that he was a knight only of the noble Lord's creation. Of his fortunes, subsequent to this trial, nothing further is known. His Theatre, however, seems to have been a place of fashionable amusement down at least till 1672, as is proved by several entries in the note-book of Sir John Foulis of Ravelstone; for instance—

"March 9. Payed for myselfe, my wife, and Cristian, to see Macbeth acted, and for sweatmeats to Lady Colingtoune, Lady Margaret M'Kenzie, and others, L. 6, 2s. 0d."

On the 21st of June, the Theatre was patronized by John Duke of Lauderdale, at that time Lord High Commissioner to the Parliament of Scotland. This is instructed by the following entry:—

"To see the Comedie, when the Commissioner was there; and for oranges for the gentlewomen, L.2, 8s. 0d."*

Dr Sydserff, the brother of the dramatist, was an Edinburgh Physician in considerable practice, and is noticed by Sir Robert Sibbald† as one of the projectors of the College of Physicians. The period of the dramatist's demise has not been ascertained, neither do we know whether he was married or single.

* From "Notices regarding the early Drama in Scotland," in a privately printed volume, entitled "Nugæ Scoticæ—Miscellaneous Papers illustrative of Scottish Affairs. Edinburgh, 1829. 8vo." The sums mentioned are in Scots money. There is certainly no direct evidence that the Theatre visited by Sir John Foulis was the one in the Canongate, occupied by St Serfe, but as it is extremely improbable that there were at that time two theatres in Edinburgh, we think it a fair inference that the one belonging to the dramatist in 1669 was the one patronized by the Lord High Commissioner in 1672.

† Memoirs of College of Physicians. Edin. 1837. 8vo. p. 15.

Curia Justiciariæ ſereniſſimi Domini noſtri Regis tenta in pretorio burgi de Edinburgh, quarto die menſis Junii 1669, per Dominum Joannem Home de Rentoun, militem, Juſticiariæ Clericum, et Magiſtros Gulielmum Murray et Joannem Preſtoun, Advocatos, Juſticiarios deputatos dicti ſereniſſimi Domini noſtri Regis.

Curia legitime affirmata.

Intran.

Mungo Murray, indweller in the Canongate.

Indyted and acuiſed for the cryme of Hemſucken, comitted be him in maner mentioned in the criminall letters raſit theranent.

Perſewar.		*Prolocutors in defence.*
Thomas Sydserf,		
Mr John Elies,	} Advocates.	Mr Thomas Murray,
Mr Patrick Home,		Mr Arch^d^. Campbell.

The ſaid day, anent our ſoveraigne lords criminal letters raiſit and execut at the inſtance of Thomas Sydſerff, brother-german to Doctor Sydſerff, and his Majeſties advocat, againſt Mungo Murray, indweller in Edinburgh, makand mentione, that wher, notwithſtandeing be the lawis, acts of Parliament, and conſtant pratique of this kingdome, the invadeing, beating, and woundeing of his Maieſties leidges is ane great cryme, and when the ſamen is committed upon precogitat malice and forethought fellonie, and within perſones ther own houſs, be way of hemſucken, is ane great agrevatione of the ſaid cryme. Nevertheles, it is of veritie that the ſaid Mungo Murray, haveand conceaved ane cruel hatred and malice againſt the ſaid Thomas Sydſerf, intending to bereave him of his lyff; he, in order to that wicked deſigne, came upon the eight day of May to his hous in the Canongate, quher he keeps his theater for acteing his playes, and was ther in quyet and peaceable maner hearing

the reharfell of his new play,* the doores being ſhut, and ane porter placed therat, with ordores to ſuffer no man to enter dureing the reharfell; Yet the ſaid Mungo Murray, with a number of his accomplices and aſſoſciats, being armed with ſuords, kaines, and other weapones, invadit and ſet vpon him, gave him many thruſts and blowes, and hade not failed to bereav him of his lyff, if they hade not been interupted by the neighboures and good people that came in for his reſcue: Quhich was done and comitted be the ſaid Mungo Murray and his aſſoſciats, vpon pregogitat malice and forethought felonie, they haveing wayled and waited for him, att and about the ſaid hous, ſeveral hours befor the aſſault, and was done be way of hemſucken as ſaid is: And he is actor, at leiſt airt and pairt therof. Which being found by ane aſſyſe, he ought to be puniſhed in his perſone and goods, to the terror and example of utheris to comitt the lyke heirefter, as at length is conteyn'd in the ſaid letters and dittay above written, inſert therintill.

The Juſtices ſuſtaines the Dittay relevant to be ane cryme and ryot of ane hie nature, if proven, and ordaynes the ſamen to pas to the knowledge of ane aſſyſe.

ASSISA.

Alexander Bryſon, merchand.
Robert Charters, merchand.
William Hay, merchand.
John Thomſone, merchand.
James Kyd, merchand.
William Whyt, merchand.
John Lindſey, merchand.
John Ranken, merchand.
John M'Morlan, merchand.
James M'Cubie, merchand.
David Boig, goldſmith.
Andro Ker, merchand.
Patrik Borthick, goldſmith.
James Broun, felt maker.
Robert Robieſon, merchand.

The Aſſyſe laufullie ſworne, no objectione in the contrare.

* Could this be Tarugo's Wiles?

EVIDENCE ADDUCED.

JOHN LEITCH in the Canogate, aged threttie years or therby, maried, fuorne, depones, That Thomas Sydſerf haveing ordered the deponent to keep cloſe the doores of the play hous, the pannell with his accomplices did force open the door, and that Mungo was the firſt man that rane in, and that thereſter he ſaw the pannel ſtrugleing with Thomas Sydſerf, and others with him, and that the pannells ſword was drawne, and that this was done at the tyme lybelled.

WALTER SCOT in the Canongate, aged tuentie years or therby, not maried, fuorne, depones, That the pannell came in the tyme lybellit to the play hous, and Mr Sydſerf aſked him, "Baſe raſcall what he did ther" —who anſwered, As much as himſelf: And that Mr Sydſerf got up his ſtaff, and the pannell drew his ſword immediatlie therefter: That there was mutuall blowes amongſt them, bot knowes not who gave the firſt: That Mr Sydſerf ſtrok by the pannell's ſword with his ſtaff.

THOMAS PATERSONE there, aged eighteen years or therby, not maried, ſworne, depones, That he ſaw the pannell come into the play hous the tyme lybelled, and that Mr Sydſerf aſkeing him, How he came ther?—he anſwered, He had als much adoe as himſelf: And that immediatelie therefter the pannell drew his ſword and ran at Mr Sydſerf, and he beat bye his ſword with his ſtaff.

JAMES HERRIES in the Cannogate, aged threttie four years or therby, maried, ſworne, depones, That the pannell, eſter the guard came, flew vpon Mr Sydſerf and pulled ane quantitie of his hair or pereweig out: That he ſaw the pannell and his ſword drawin: That he ſaw the pannell thruſt vp the door and come in with the reſt: That the door was locked. Depones, That one of the actors offered to kill the pannell if he did not put vp his ſword quhen it was drawin.

JOHN BROUN in the Canongate, aged twentie or therby, not married, ſworne, depones, That he ſaw the pannell come in at the door: That he ſaw the pannell with his ſword drawin, and thruſt ſeveral tymes at Mr Sydſerf: That he ſaw Mr Sydſerf have nothing but ane ſtaff: That eſter the guard came in, the pannell ran at Mr Sydſerf and pulled of his pereweig: That

he ſaw John Arnot, on of the pannel's complices, brak ane battoun over Mr Sydſerf's head, when the pannell and others were grapeling with him.

John Peirie in Edinburgh, aged twentie ane years or thereby, not maried, ſworne, depones, That he ſaw the pannell fall upon Mr Sydſerf, and pull of his pereweig: That John Arnot, on of the pannell's complices, brak ane baton over Mr Sydſerf's head.

George Mouat in the Cannogate, aged threttie nyne years, maried, ſworne, depones, That he ſaw ſwords drawn, bot knowes not who they were: That the pannell and his accomplices thruſt open the door the tyme lybelled: That he ſaw Mr Sydſerf ſtruckin over the heid, bot knowes not by whom, only he heard the ſame was done by Mr Arnot.

The Aſſyſe, be pluralitie of voyces, electis Robert Robertſon as chancellour.

VERDICT.

The Aſſyſe all in one voyce, be the mouth of Robert Robertſon, ther chancellar, finds the pannell, Mungo Murray, guiltie and culpable of thruſting himſelf in at the door of the houſe lybellit, when the ſamen was opened, and he being within the hous, of drawing his ſword, and thruſting at Thomas Sydſerf therwith, in reſpect they fand the ſamen ſufficientlie proven.

INTERLOCUTOR OF COURT.

The Juſtices ordaines the ſaid Mungo Murray to be caried to the Tolbuith of Edinburgh, therin to remayne priſoner till this day eight dayes, and then to mak his apeirance befor the Juſtices, ther to receave doome and ſentence for the crymes above wrytten.

SENTENCE.—11*th June*.

The quhich day, Mungo Murray being brought furth of priſone, to heir and ſie dome and ſentence pronounced againſt him, for the crymes comitted be him againſt Thomas Sydſerf: The Juſtices ordaynes the ſaid

Mungo Murray to crave the ſaid Thomas Sydferf's pardon in preſence of Court, for his fault and miſdemeanor; and lykwayes ordaynes the ſaid Mungo to enact himſelf judicially that he ſhall not wrong nor truble the ſaid Thomas Sydferf, neither by word nor wreit, directly or indirectly, vnder the payne of baniſhement [from] the toun of Edinburgh and previledges therof, in caſe he contraveen this preſent act.

JUDICIAL ENACTMENT BY MURRAY.

In obedience, and conforme to quhich ordinance, the ſaid Mungo did judicialy crave pardone in maner forſaid, and becam acted not to truble, moleſt, or wrong the ſaid Thomas, by word, deed, or wreit, vnder the pain to be baniſhed the citie of Edinburgh and priveledges therof, of his own conſent, in caſe he ſhall be found to contraveen this preſent act at any tyme herefter.

MUNGO MURRAY.

BREVIS NARRATIO MARTYRII VENERABILIS SACERDOTIS THOMÆ MAXFIELDII.

BREVIS NARRATIO MARTYRII VENERABILIS SACERDOTIS THOMÆ MAXFEILDIJ, QUI PASSUS EST LONDINI IN ANGLIA 11° DIE JULIJ ANNI PRÆSENTIS 1616.*

Thomas Maxfeildius in comitatu Staffordiæ in Anglia, in oppido Mare, e nobili et Catholicæ religioni devota familia natus, Duaci in Belgio literis operam dedit. Hic ritu Catholico ibidem facerdos confecratus, in Angliam ad fidem Catholicam reſtaurandam remeauit; quam quidem ob egregiam morum probitatem et vitæ ſanctimoniam, plurimum brevi tempore promovebat. Mortificationi adeo fuit deditus, vt cingulo quodam pungente lumbos accingeret, quod ſcalam Jacob vocant; illud acutis quibuſdam ſtimulis, acicularum inſtar, carnem macerabat. Dum hoc modo ſe gerens, munere ſuo ſacerdotali aliquanto tempore fungeretur, a perſecutoribus Catholicorum captus, et in ergaſtulum, vulgo dictum *The Gatehouſe*, detruſus eſt. A quo iniuſto carcere dum ſe liberare conaretur, atque ita e feneſtra per ſcalam e funiculis factam deſcenderet, deprehenſus a vigilibus in arctiorem cuſtodiam, obſcuram ſcilicet et fætidam foveam, detruſus eſt; vbi quatuor prope diebus totidemque noctibus iacuit, pedibus eius interim in cippo arctatis, et ad collum eius iugo ferreo, pondere duodecim librarum, appenſo. Poſtea ex reſcripto publico, cui octo conſiliarii regii ſubſcripſerunt, in alium carcerem, dictum Novam Portam, Anglice *Newgate*, tranſlatus, et quaſi morti deſtinatus eſt. A qua vt ipſum liberaret, legatus Hiſpaniæ primum literis, deinde precibus, a Rege obnixe contendebat, ſed fruſtra. Rex enim non ita pridem in Camera Stellata (Comitiorum is locus eſt magis ſolennium) declarabat, voluntatis ſuæ eſſe, vt quotquot ſacerdotes in aliquo horum trium delinquerent, nempe vel iuramentum, quod fidelitatis vocant, recuſarent, vel iniuſſi ab exilio redirent, vel denique e carcere fugerent, morte mulctarentur. Itaque paulo poſt in Comitiis,

* Balfour MSS. Advocates' Library. See Dodd's Church History, vol. ii. p. 378.

quas Seſſiones vocant, Londini, in vico Anglice dicto *The Ould Bailie*, in iudicium capitis vocatus eſt. Accuſatio eius, quam ipſe, qui hæc ſcribo, præſens audivi, hoc ſolum crimen illi obiiciebat, quod in partibus tranſmarinis ſacerdos factus, in Angliam rediiſſet contra ſtatutum ſub pœna perduellionis, tempore Elizabethæ ſancitum, et ſub Jacobo Rege noſtro renovatum. Hoc in agone fortis Chriſti athleta conſtitutus, ſe quidem ſacerdotem Romanum libere et candide profeſſus eſt; ad perduellionem vero quod attinet, Deum invocabat in animam ſuam, ſe nihil vnquam mali contra Regem vel patriam ſuam, ne cogitando quidem, commiſiſſe; quæ eius proteſtatio aſtantibus omnibus non minus honeſta viſa eſt quam vera. Prius vero quam iudices contra ipſum agerent, interrogaverunt eum, an iuramentum parlamentarium recens inventum, quod fidelitatis vocant, iurare vellet; quod ſi iuraſſet, ipſi vlterius contra eum non proceſſiſſent. Cum vero iuramentum illud tanquam impium conſtanter renuiſſet, mandavit ſyndicus Londinenſis duodecim viris vt de ipſo inquirerent, num reus eſſet, qui mox eum reum eſſe denunciarunt; vnde Iudex mortis ſententiam in eum pronunciavit, vt nimirum ad patibulum in crate viminea traheretur, ibique ſuſpenſo, iamque ſemimortuo, virilia abſcinderentur, et diſruptis viſceribus, membra in quatuor partes diſſecarentur. Poſt hanc mortis ſententiam in illum pronunciatam, reductus eſt in carcerem, vbi cum ego illum pro neceſſitudine noſtra viſitarem, vultum eius ſolito hilariorem et alacriorem animadverti. Eundem ego dum ad mortem duceretur comitatus ſum, primuſque fuit omnium quos ego pro fide Catholica vſque ad mortem decertantes videram; et O me fælicem, qui hunc modo viderim: omnes certe eum cum ſumma compaſſione etiam proteſtantes intuebantur. Cum iam ad ſupplicij locum ventum eſſet, id eſt ad furcam dictam Tiburne (quo in loco plurimi ſacerdotes tempore Elizabethæ, et nonnulli regnante Jacobo pro fide Catholica paſſi ſunt), alta voce et intrepidam animi fortitudinem teſtante, textum illum Apoſtoli, quem, ante aliquot annos, glorioſus martyr Edmundus Campianus eodem in loco excarnificandus, vſurpaverat, recitavit, viz. ſpectaculum factus ſum mundo, Angelis, et hominibus; quem cum Anglice reddidiſſet, ſilentium ei a Vicecomite indictum eſt, cui ipſe ſtatim obediens tacuit, atque alio ſermonem tranſferens, Anglos omnes, maxime Catholicos, vt

regi et proli ſuæ obedientiam et fidelitatem præſtarent, hortatus eſt. Atque ita pro perſecutoribus ſuis ſigillatim orans, ac nominatim Regem noſtrum Jacobum, Reginam, et principem, vna cum anima ſua Deo commendans in his verbis, "Sancta Maria, et omnes Sancti, orate pro me," vitam cum morte commutavit. Murmur autem commiſerantis et condolentis populi (quæ audivi et vidi refero) effecit, ne ſuſpenſus iamque ſemivivus in partes, vt mos eſt, defecaretur, ſed vt in furca penderet quoad uſque animam exhalaret; atque hæc ſcilicet illa eſt proteſtantium Anglorum in ſacerdotes Catholicos clementia extraordinaria. Sed tu, Domine, quo vſque?

His vero omnibus, ita vt dictum eſt, peractis, nocte ſequenti Catholici aliquot devoti caput et reliqua eius corporis membra, quæ iam in quatuor partes diſſecta, et in altam foveam ſub vndecim prædonum cadaveribus defoſſa erant, clam abſtulerunt. Singulari autem divinæ providentiæ nutu factum eſt, vt cum tota nocte fodiendo vix tandem ſub Aurora ſacras martyris reliquias obtinuiſſent, vnde periculum non leve fuit, ne, a perſecutoribus intercepti et deprehenſi, male mulctarentur, obſcura quædam nebula denſa caligine terram cooperiret, quovſque ſacra pignora vna cum portitoribus in tuto collocarentur, et tunc demum omnis nebula diſparuit, et clariſſimus dies illuxit.

ADVOCATES' LIBRARY

EPISTOLÆ VIRORUM CLARORUM AD JACOBUM SEXTUM, BRITANNIÆ REGEM.

V. M. humillimus servus
Cornelius Dubbe

serenissimæ mat^is tuæ
servus humillimus
Georgius Carleton

TVÆ MAIESTATIS
humillimus & obsequentissimus
subditus Ioannes Camero

Joannes Barnesius Artium et
S. Theologiæ Doctor et Professor

Tuæ Reverentiæ
cultor humillimus
Mericus Casaubonus Ts. F.

J. Hoskyns

EPISTOLÆ VIRORUM CLARORUM AD JACOBUM SEXTUM, BRITANNIÆ REGEM.

Whatever may be the demerits of James the Sixth, and however much exposed to censure his system of government may have been, even his bitterest enemies cannot fairly withhold from him the merit of having been the liberal and consistent patron of men of literature. So thoroughly was he imbued with a taste for learning, that a happy classical allusion, or well expressed Latin or Greek compliment, was a sure passport to his favour; and few things seem to have afforded him greater pleasure or delight than a grave disputation with scholars on subjects not now-a-days usually considered as inviting.

The letters, now for the first time printed,* are addressed to the King by Cornelius Van Drebbel, Carleton, Bishop of Chichester, John Cameron, and Father Barnes, and throw some light on the private history of the writers. They all of them show the high estimation in which the King was held as the protector of literary men, and the earnest desire they had to merit his approbation. Of the different individuals whose letters follow, it may be proper to give a brief notice.

Cornelius Van Drebbel was born in 1572, in the town of Alkmaer in Holland. He studied Philosophy, Medicine, Chemistry, and Mathematics, and acquired considerable reputation. He was the pupil of the celebrated Hubert Goltzius, who gave him his daughter in marriage. Having attracted the notice of James VI. by his alleged discoveries, of which the most wonderful was that of the perpetual motion, he was invited to England. The patronage of James had the effect of inducing the Emperor Rudolph to solicit his presence at his court, where he was received with great honour, and obtained a pension. He became preceptor of the son of Ferdinand II. This last-named Emperor had just nominated him a councillor of state, when the disturbances in Bohemia broke out in 1620, and Drebbel was captured by the insurgents. He was thrown into prison, and ran great risk of

* Balfour MSS. Advocates Library.

suffering death, but was relieved by the interference of James VI. and the States of Holland, which had been interested in his behalf by the solicitation of his brother. According to the Biographie Universelle, " Il pouvait imiter la pluie, les éclairs et la foudre : il produissait, à la volonté, le froid le plus glacial, au point qu'on ne put résister à celui qu'il détermina dans le palais de Westminster; il faisait éclore, au milieu de l'hiver, des œufs de poule et autres, sans l'incubation; il mettait à sec les puits et les rivières. Par les merveilles de sa magie, il exposait aux yeux des scènes et des tableaux divers, sans qu'il eût rien de réel que sa volonté; comme font aujourd'hui, et comme de tout temps ont fait les fantasmagoristes de tous les siècles."

He discovered the secret of the scarlet dye, which he communicated to his son-in-law, Cuffler, and his daughter, who successfully made use of it at Leyden, long before it was introduced in the Gobeline manufacture.

Drebbel was present at the interment of James the Sixth, and walked in the funeral procession on that occasion. He died at London in 1634. He published two treatises in Dutch, which were translated into Latin by Peter Lauremberg, under the title " Tractatus Duo: I. De natura elementorum, quomodo venti, pluviæ, fulgura, tonitrua, ex iis provocantur, et quibus servient usibus. II. De quinta essentia, ejus viribus, usu, et quomodo ea ex mineralibus, metallis, vegetabilibus et animalibus extrahenda. Editio cura Joachimi Morsii. Accedit ejusdem Drebbelii Epistola ad sapientissimum Britanniæ Monarcham Jacobum, de perpetui mobilis inventione." Hamburgi, 1621, 12mo. Genevæ, 1628, 12mo. Francof. 1628, 12mo. These treatises have also been translated into French, Paris, 1672, 12mo, and into German, Frank. 1715.

George Carleton was descended of a Cumberland family of that name, which possessed the estate of Carleton Hall, and he was born at Norham in Northumberland, his father being at the time governor of the castle. He was brought up by the eminent Bernard Gilpin, styled the Northern Apostle, and when fit for the university, was sent by him to Edmund Hall in Oxford in 1576. He did not take his degree of Master of Arts till June 14, 1585. While he remained in that college, he was esteemed " a great orator and poet, and in process of time became a better disputant in Divinity than he had been in Philosophy."*

After having continued many years at the University, and taken the degree of Bachelor of Divinity, May 16, 1594, and that of Doctor, December 1, 1613, he was advanced to the Bishoprick of Llandaff, to which he was elected, December 23, 1617, confirmed July 11, 1618, and consecrated at Lambeth the next day. In

* Kippis's Biographia Britannica, vol. ii. p. 1172.

1619 he was translated to the See of Chichester, which he held until his demise, which took place in May 1628, in the sixty-ninth year of his age. He was buried on the 27th of the above month, in the choir of the Cathedral Church of Chichester, near the altar.

He was an intimate friend of Camden, who thus notices him in his Britannia: "I have loved him for his excellent proficiency in Divinity and other polite parts of learning." Bishop Carleton was the author of many works, but the one best known is his "Thankfull remembrance of God's mercy, in an historical collection of the great and mercifull deliverances of the Church and State of England since the Gospel beganne here to flourishe, from the beginning of Queene Elizabeth." London, 1614, 4to. It passed through four editions. According to honest Anthony a-Wood, his Lordship was a bitter enemy of Papists, and in the point of Predestination a rigid Calvinist.

John Cameron, a theologian of great erudition, was born at Glasgow 1579, where he received his education. After teaching Greek in the University there, he went abroad, and having arrived in Bordeaux in the year 1600, immediately recommended himself to the two Protestant clergymen, through whose interest he was appointed a regent in the newly-founded College of Bergerae, where it was his province to teach the classical languages. From this station he was withdrawn by the Duc de Bouillon, who appointed him a Professor of Philosophy in the University of Sedan. He was offered the Greek chair by the Duke, but declined to accept of it, as his appointment would have displaced a friend who then held the office.

After remaining two years in Sedan, he resigned his professorship; and after visiting Paris, returned to Bordeaux, where he again experienced a very kind reception. In the beginning of the year 1604, he was nominated one of the students of Divinity, who were maintained at the expense of the church, in order to be prepared for its ministry when their services should be required; and who, for the period of four years, were at liberty to prosecute their studies in any Protestant seminary. Subsequently, Cameron became Professor of Divinity in the University of Saumur, the principal seminary of the Protestants, where he commenced his labours on the 13th June 1618,* but was not installed till after an interval of two months.

In the year 1620, he "was engaged in a formal disputation with Daniel Tilenus,

* In this year there appeared "Traité auquel sont examinez les prejugez de ceux de l'Eglise Romane contre la Religion Reformee. Par I. Cameron Ministre de l'Eglise de Bourdeaux. A la Rochelle par Jean Hebert. M.DC.XVIII. 8vo." It is dedicated, "A Messieurs de l'Eglise Reformee de Bourdeaux."

a native of Silesia, who had adopted the theological opinions of Arminius. He had expressed a wish to discuss with Cameron the doctrines of grace and free will: the time and place were duly arranged; and, according to their agreement, the Professors repaired to the neighbourhood of Orleans, to the country house of Jerome Groslot, a Protestant gentleman of rank and learning, who had taken refuge in Scotland after the massacre of St Bartholomew, and had there been distinguished by the friendship of Buchanan. Tilenus having arrived five days after Cameron, their conference commenced on the 24th, and concluded on the 28th of April. An account of this "Amica Collatio" was printed at Leyden in 1621."* It is in reference to his controversy with Tilenus that the letter now for the first time printed was written to James VI., with whom he was in some favour; a circumstance arising out of Cameron's exalted notion of the superior powers of kings, which was strictly in unison with the opinions of the sapient monarch.

The progress of the civil troubles in France having in 1620 nearly dispersed all the students at Saumur, Cameron sought in England a place of residence for himself and family. For a short time he read private lectures on Divinity in London, and in 1622 the King appointed him Principal of the University of Glasgow, in the room of Robert Boyd. "This favour," says Bayle, "did not suit his taste; he had not been a full year at Glasgow, but he longed to see France again, and returned to Saumur with his whole family, and read private lectures there, for the Court had forbidden him to teach publicly. Having thus passed a year at Saumur, he went to Montauban towards the latter end of the year 1624, having been chosen Professor of Divinity in that city; but he did not enjoy that employment a long time: as he would not be of the reigning party, he exposed himself to a thousand vexations, which did not end but with his life in the year 1625: he was then about forty-six years old. He had been twice married. The churches took care of his family. He was a man of a great deal of wit and judgment, had a happy memory, was very learned, a good philosopher, of a cheerful temper, and ready to communicate not only his knowledge, but even his money; he was a great talker, a long preacher, little acquainted with the works of the fathers, obstinate in his opinions, and somewhat troublesome. His manner of preaching was disliked on many accounts; for besides that his sermons lasted two full hours, he used to digress and ramble from his text, and entertained his audience upon subjects of which they understood nothing, and which he seemed to deliver like an enthusiast. Whilst he was preaching, he unbuttoned

* Encyclopædia Britannica, last edition: where a learned and interesting biographical sketch of Cameron will be found, to which the reader is referred for further information.

his coat, spread his handkerchief about him like a napkin, and uncovered his head. He did not know that he tired his audience: on the contrary, he imagined that they were extremely pleased with his eloquence; but having one day prevailed upon a tradesman to tell him freely how his sermons were esteemed, he learned a piece of news which vexed him prodigiously. 'Since you force me, Sir,' said the honest tradesman, 'to tell you what are the discourses and the opinion of your flock, I must own, that your sermons are not at all suited to the taste of the people; they never hear you preach but they are prodigiously tired.' Cameron, who expected quite another answer, retired with the utmost grief. This discourse had extremely vexed him; he grieved at it for several days; he grew pale and dull, and could not forbear telling his colleague, Dr Primrose, the cause of his melancholy. The colleague, who was his intimate friend, took the right method to comfort him. 'What is become of your courage?' said he. 'Do you mind the opinion of a fool? are you vexed at such trifles? Be persuaded that all the people of fashion in your congregation, who have any learning, hear you with a great deal of pleasure, and reap a considerable benefit from your sermons.' This plaster did very much allay the pain, but did not heal the wound entirely. Cameron's uneasiness returned upon him, and he had recourse to a new inquiry; he proposed to a lawyer the same question he had asked the tradesman, and received the same answer, which made him quite desperate. He resolved to leave Bordeaux, and to employ all his interest in order to procure to himself a more agreeable condition somewhere else."

Shortly after the death of Cameron, his friends published his "Prælectiones in selectiora Loca Novi Testamenti." Salmurii, 1626–28, 3 tom. 4to. The editor was his learned pupil Louis Cappel, Professor of Hebrew, and afterwards of Divinity, in the University of Saumur. His theological works were collected and published at Geneva, 1642, folio.

The life of John Barnes, or Barnesius, as he is usually termed, was a very chequered one. He was a native of England, and although a Catholic, was extremely desirous of reforming various abuses, and assimilating that communion to the Protestant one, as nearly as it possibly could be done. The work alluded to in the letter to James was printed at Paris in 1625, under the title of "Dissertatio contra Æquivocationes;"* and was translated into French, and published there the same year. Although dedicated to Urban VIII., it was greatly disrelished by the Romanists, and was peculiarly objectionable to the Jesuits. "The approbation of the Faculty of Divinity," observes Bayle, "acquaints us that John Barnes was Doctor

* Printed at London in 1690, in the Appendix to the "Fasciculus Rerum expetendarum."

in Arts, in Sacred Theology, and Professor of the English Mission, and sent Assistant for the Congregation of Spain, and it is dated the 13th July 1624."

The Treatise, entitled "Catholico-Romanus Pacificus," excited the indignation of the court of Rome, and orders were given for the seizure of the unhappy author, which was effected at Paris upon the 5th of December 1626, in the Prince of Portugal's house; from whence, after having been stript of the habit of his order, he was carried away bound on horseback to Flanders, where he was delivered to the governor of Cambray, who had him confined in the Castle of Waerden. At the time of his seizure he was writing an answer to a book entitled Apostolatus Benedictinorum in Anglia. His irreproachable morals, integrity of conduct, and superior learning, seemed to heighten the animosity of his persecutors; for Father Barnes was speedily transferred from the castle in which he had been immured, to the dungeon of the Inquisition at Rome, and finally consigned to the Hospital of Lunatics, beyond the Tyber, where he ended his days. It would appear that he was alive in 1650, from this passage in the work of Theophilus Raynaud, printed at Lyons in that year: "Dixi ego sane in præfatione operis de Æquivocatione, adversus Caetani germanum, bipedum omnium effrontissimum, Joannem Barnesium Anglum, qui vicenario carcere, in quem curante summo Pontifice reclusus est, necdum detersit multiplicis adversus Deum et Religionem Catholicam, ac S. Benedicti familiam malignitatis rubiginem."

I.

Invictissime Rex,

Cum intelligam majeſtatem tuam nondum plene intelligere operationes inſtrumenti mei, admodum contriſtor; eoque magis, quod in principo me majeſtatem tuam abunde fatiffeciſſe arbitrarer. Itaque humillime rogo, vt hæc paucula benigna aure excipiat. Primo, me hanc machinam appellare perpetuum mobile, hanc ob rem, quod quotidiana experientia animadvertam in ea agitationem, nullo beneficio ponderis, circumvoluti chalybis, aut alterius cujuſcunque auxilii; ſed ex ſempiterna cauſa quæ neque perit neque peribit, niſi verbo Dei, vt majeſtati tuæ notum.

Movere enim abſque his ſubſidiis, majeſtati tuæ antehac oſtendi, quam ſimiliter non fallit cauſam motus æternam eſſe. Quomodo in dies moveatur, majeſtas tua vidit, videreque potuit, cum in Aula Alba per quatuor aut quinque menſes ſtaret, vnde Elthamium tranſportata eſt: poſtquam ei curioſam manum admoviſſet Regina, ita vt omnes actiones ceſſarent.

Fortaſſis majeſtas tua inventionem motus non magnopere admirabilem ducit; quid dicam? id quod res eſt: multas in ea ſubtiles obſervationes requiri; nempe formam ita adornari, vt quotidie alteratio cœli in eam influat; materiam preparari in qua motus recipiatur, illamque ita conſervari vt nunquam minuatur; quod ſemper paratus ſum majeſtati tuæ demonſtrare, vbicunque et quocunque tempore juſſerit.

Verum eſt motum aquæ non tam æqualem eſſe, quam par ſit, cujus rationem majeſtati tuæ revelavi; attamen in ea hoc perfectum, quod ſingulis viginti quatuor horis bis aſcendat, bis deſcendat: vndę qualeſcunque tardi motus, tam abſoluti, vt in cœlo, velut curſus omnium planetarum, præterea menſium, dierum, ortus et occaſus ſolis, fluxus et refluxus maris, incrementi et decrementi lunæ, ſimiliumque diſtinctiones, quas majeſtati tuæ non ſemel oſtendi, ſed metuo ne lapſu temporis exciderint, quapropter earum cauſas hic repetam. Poſtquam, vt ſupradictum, hic motus ſingu-

lis diebus naturalibus bis tollitur, bis deprimitur, eadem opera in aſcenſu vel deſcenſu circumago certam proportionem rotulæ, hoc eſt, vnum duoſve ejus denticulos, prout motus exigit ; idque hoc modo, vt neque plus neque minus, quam ratio operis poſtulat, moveri rotulæ queant.

Inſuper hac inventione fieri poſſunt quicunque motus ea vi quam artifici lubet adhibere; et quidquid deſcenſu aquarum, vento, hominum brutorumve robore, pondere, circumvoluto chalybe præſtatur, idem hac inventione fit in perpetuum, aut eouſque dum inſtrumenta deteruntur. Cauſa enim motus æterna eſt, neque vnquam ceſſat. Si rotula vna atque altera conſumatur, ſubſtituatur alia, et denuo movebitur ; ad quam rem varii mihi modi ſunt, nimis longi, quam vt hic recenſeantur.

Vnum tamen craſſæ Minervæ exemplum addam : ſingulis diebus aſcendere cogo certum argenti vivi pondus, hoc eſt, libras quinque vel decem, plus minus, ſicut operis natura eſt, tantum debita menſura obſervata, vt ſi plus ex æquo attollatur, reſiduum refundatur, nam inſtrumentum ne guttam quidem ſupra modum ſuum admittit : et quamvis aliquando horam citius aut tardius aſcendat, nullam tamen mutationem inducit. Quod etiam patet in horologijs, quorum pondera etſi nunc hac nunc illa hora evehantur, non ſiſtitur motus, modo caveatur, ne eo ſubſidant, vbi quietem inveniant. Jam vero præter hæc, aliæ mihi artes ſunt, quibus etiam ſi inſtrumentum duobus, tribus, aut quatuor continuis diebus juſtum pondus non attrahat, quod nunquam fieri puto, nihilominus tamen opus officium ſuum perfecte faciet ſine vlla interruptione. Hæc et talia jam diu oſtendiſſem, niſi ſumptus tam in ea facti, quæ majeſtas tua vidit, quam adhuc in reliqua faciendi, obſtitiſſent. Imo omnem operam navaſſem, majeſtati tuæ quoad per fortunam meam licuiſſet gratificari, ſi imperare collibuiſſet. Quidquid enim juſſum, perfeci meis impenſis; ſcilicet, probam clarycunbali, admotioni manuum vel calori ſolis obſequentis, et conſtructionem inſtrumenti pro Cæſarea majeſtate.

Quocirca hæc non mea ſed regiæ majeſtatis culpa eſt, quæ neque mihi injunxit vt plura facerem, neque pecunia aliqua ſubſidium tulit, vt melius ad effectum pervenirem. Licet tres circiter abhinc annos ſplendidam, imo regiam remunerationem mihi promiſerit, idque quando probam clarycunbali ſpectaſſet, qua dudum viſa, nihil tamen ſecutum eſt ; quod

mihi rem familiarem maxime accifam reddidit, quinimo pene eam fubvertit; fpiritum mihi interemit, tempore ita invtiliter trito, vt nec in gratiam regiæ majeftatis quicquam præftare, nec mihi prodeffe potuerim Igitur humillime majeftatem tuam rogo, vt promiffi fui in fubfidium meum memor fit, quo alias infignes inventiones majeftati tuæ oftendam, videlicet, inftrumentum quo, tempore neceffitatis aut belli, litteræ diftantia vnius aut duorum milliarum leguntur ; item vt de nocte in milliare vnum atque alterum vifum noftrum extendamus, et multa alia quæ brevitatis caufa hic prætereo.

Rogo quoque majeftatem tuam, vt ficubi dubitet, mihi non parcat; paratiffimus enim fum non folum rationibus, fed etiam ipfo facto majeftati tuæ rem demonftrare.

Invictiffime Rex, fave, fave, et cogita, fublatis ftudiorum pretijs, ftudia peritura, vt minus decora.

Veftræ Majeftatis humillimus Servus,

Cornelius Drebbel.

II.

Serenissime Potentissime Rex,

Quum nuper potentiffimus ille non minus virtutum tuarum, quam regnorum hæres, Carolus, ex abundanti fauore et eximia in fuos bonitate rationem mei apud tuam majeftatem habendam indicauerit, in qua re expectationem ftudiumque meum rara illa fua bonitate prævenit, duo mihi objici intelligo: primum, quod in gubernanda eccleſia quid poffim vel non conftet, vel in dubium vocetur ; fecundum, quod gentiles habeam in illa regione in qua me illuftriffimus princeps locandum cenfuit. Liceat mihi coram optimo et prudentiffimo rege libera defenfione vti. Quid poffim in gubernatione, partim conftare poteft ex familia mea gubernata, in qua re luculentum a bonis teftimonium hactenus obtinui, quod nec inuidi mihi negare poffunt. In gubernanda parochiali eccleſia, non tantum eccleſiaſticorum hominum, fed et eorum qui in ciuili gubernatione verfantur, iudicia et teftimonia ius mihi et laudem vindicabunt ; ita vt in

hac laudis parte non verear palmam mihi ab alio præreptam. In luce verſatus ſum, in oculis omnium, in fauore bonorum, qui hactenus me ſequutus eſt vbicunque vixi. Pone me quocunque volueris loco, idem ſemper bonorum fauor iudiciumque ſequetur, nec mihi ex vita anteacta, in rebus quæ mihi quidem gerendæ obuenerant, vel leuiſſima inhæret macula : ex ijs quæ hactenus acta ſunt iudicium ſumendum eſt de futuris. Denique ad tuum iudicium, qui iuſtitiam iudiciumque vnus optime noueris, prudentiſſime Rex, prouoco. Te mihi iudicem, cenſorem, etiam ſponſorem peto, quod conſcius nunquam facerem. Popularem oſtentationem ambitioſe nunquam quæſiui, conſulto etiam ſemper fugi: id nonnulli ex imbecillitate profectum interpretantur. Horum ſuſpicionibus non moueor, ſed exiſtimationis meæ, apud te præſertim læſæ, rationem negligere nullo modo poſſum. Impera, impone quicquid placet : ſe me recte noui, vtcunque in me aliorum ſuſpiciones ludant, grauiſſimum iudicium tuum non fallam. Ad alteram criminationis partem venio. Negare non poſſum me gentiles habere, ſed quare mihi ſint præiudicio, non intelligo. Certe in illa regione neque natus ipſe neque educatus fui, atque apud eos me plane hoſpitem eſſe ſentio. Vnum illud non minus libere quam vere dicam, gentiles meas non eſſe Recuſantes ; atque eo nomine in offenſione eſſe apud eos, qui veritatem religionis non recte colunt, eademque de cauſa meam in illis locis præſentiam metuendam iudicaui ijs qui in me preſſo veritatem preſſam cupiunt. Quod ad ſereniſſimam majeſtatem tuam liberius loquor, coactus facio ; quod confidentius de meipſo ex bonæ conſcientiæ eſt fiducia. In doctore veritatis depreſſo, quid ipſa veritas patiatur, optimi Regis, tanquam angeli cœleſtis, prudentia diſcutiet. In hac re agitur exiſtimatio mea. Ego anteactæ vitæ fructum ex ampliſſimo iudicio tuo exſpecto. Alii quid ſibi deinceps in virtutum et literarum ſtudio ſincerius laborantibus ſperandum ſit, ex meo hodie exſpectant exemplo. Deus tibi dies longæuos et felices in eccleſiæ et reipublicæ bonum diutiſſime producat.

Sereniſſimæ Majeſtatis tuæ Seruus humillimus,

Georgius Carleton.

III.

SERENISSIMO POTENTISSIMOQUE PRINCIPI JACOBO, MAGNÆ BRITANNIÆ, FRANCIÆ, ET HIBERNIÆ REGI.

Etſi te, Rex fereniſſime, maximis totius orbis Chriſtiani rebus occupatum, ab homine priuato et nullo fere loco interpellari, indecorum et vero nefas eſſe videatur; tamen nota omnibus incredibilis illa clementia tua, mihi ipſi inſuper rebus comperta et ſpectata, deinde vero etiam neceſſitas quædam mea effecit vt auderem apud majeſtatem tvam cum Daniele Tileno, theologo quondam Academiæ Sedanenſis, expoſtulare. Is libellum majeſtati tvæ dicatum nuper edidit, cui titulum fecit *Canones Synodi Dordracenæ, una cum notis:* ei libello, tanquam appendicem, paralipomena quæ vocat, neſcio qua mente, Amicam Collationem de Concurſu Gratiæ Dei et Liberi Arbitrii in Uocatione Hominis, quam mecum ante biennium inſtituerat, adjecit, vna cum præfatione ad lectorem; in qua, cum, mihi iratus, nulla profecto alia de cauſa quam quia victor in certamine non diſceſſit, cauſæ vitio, non ingenij culpa, multa ad inuidiam mihi conflandam pro animi libidine confinxerit, nil ægrius tuli, quam quod me, vt hominem ſeditioſum et turbulentum, et illius authoritatis, quam Deus monarchis ſupremam in terris dedit, oſorem et contemptorem, oratione acerbiſſima traducit: quo crimine, nullum mihi potuit objicere vel ad morum labem fœdius, vel ad Dei hominumque iuſtiſſimum odium in me concitandum grauius et atrocius. Equidem pro certo habeo, tum ſacris edoctus litteris, tum recta ratione adductus, et ipſa admonitus experientia et rerum vſu, Regum authoritate illa ſumma, quæ nullius hominum, ſolius Dei iudicio obnoxia eſt, ſemel contempta, neque Deum rite coli, neque eccleſiæ pacem, reipublicæue otium conſtare ulla ratione poſſe. Sed nec aliter ſenſi unquam; nam et puero Regum majeſtas mihi viſa eſt ſemper non honore tantum, ſed quadam etiam veneratione proſequenda, vtpote ſupra cæterorum mortalium conditionem, infinitis veluti gradibus, euecta et in ſublimi collocata; atque vna cum ætate creſcente iudicio, hæc tandem ſententia penitus animo inſedit. Poſtquam

vero ad paſtoris munus primum, tum deinde profeſſoris ſacrarum litterarum, ſum vocatus, publice priuatimque pro concione, in ſcholis, in congreſſibus, vbi res et occaſio poſcebat, eam ſententiam et profeſſus ſum, et pro virili parte defendi: cujus rei Deum, conſcientiam, hominesque poſſum teſtes appellare, vt mihi non ſit verendum ne tam immanis calumnia mihi apud vllos ſit fraudi, præter eos qui vel me vel Danielem Tilenum non nouerunt; quanquam is quo ſit ingenio, qua morum grauitate, probitate, qua iudicii acrimonia, ex ſcriptiunculis quæ ab eo, poſtquam ab eccleſia feceſſit, editæ ſunt et ſparſæ in vulgus, nemini poteſt eſſe obſcurum: in quibus ſemel tantum bonam egit cauſam, quam grauiter, quam modeſte, quam prudenter et accommodate, nouere theologi majeſtatis tvæ, viri graues, docti, et pij, nouit omnium optime majeſtas tva. Ipſa hæc atrox et iniqua criminatio, qua meum caput petit, nulla ſpecie, nullo colore ſe probat; cui enim fiat veriſimile me, hominem extraneum, Lutetiæ, bello iam ſuſcepto, et vero feruente, cujus vnica cauſa obtendebatur rebellio in regem, pro concione, in loco publico, apud viros ampliſſimos, Regi Chriſtianiſſimo a conſiliis, regiam authoritatem in diſquiſitionem auſum fuiſſe deuocare; aut, ſi audacia et ſeritas animi me feciſſet tam vecordem et amentem, ego id impune tuliſſem? Ii ipſi, qui me tribunitii ſpiritus ſeditioſum concionatorem audiiſſent, procul dubio vel pro fide ſingulari erga regem, vel conſeruandæ ſalutis ſuæ cauſa, me non iam poſtulari ad ſupplicium paſſi fuiſſent, ſed vltro dediditſent. At vero Lutetia profugi: certe, ſed pæne oppreſſus in funeſto illo tumultu Pariſino; tum deinde poſtquam iam eſſet mihi ab hoſpite meo, optimo viro, renunciatum, ſe a decurione monitum, me quæri a plebe ad cædem, denique cum amici mei, grauiſſimi viri, vt quamprimum diſcederem pæne conuicio et objurgatione inſtarent; cujus rei teſtes habeo locupletes, illuſtriſſimum comitem Caſſiliſſæ, et Robertum Hatlæum, nobilem Anglum, quorum alter mihi fugæ comitem famulum adjunxit, alter me fugientem, non iam magiſtratum (qui mihi, Lutetiæ præſertim, non tam formidabilis vnquam, quam amabilis eſt viſus) ſed plebis inſanæ furorem et amentiam, pro ſingulari humanitate, ſummaque erga me charitate, ipſe Dieppam vſque proſequutus eſt regii diplomatis authoritate communitum, quod adeo Dieppæ a me prolatum eſt apud quos oportuit, ne cui mea in

Angliam profectio poſſet eſſe ſuſpecta. Vt vero triſtiſſimis illis temporibus Lutetiæ vixerim, teſtis eſt omni exceptione major vir nobiliſſimus D. Herbertus, Legatus apud Chriſtianiſſimum Regem tuus, non modo ob animi et ingenii magnitudinem, ſed etiam ob fidem ſummam majeſtati tvæ chariſſimus. Nouit is probe quod bonorum de me Lutetiæ deque concionibus meis iudicium fuerit, ſeditioſæne et turbulentæ fuerint; an potius quales eum decebat qui cum populo agit trepidanti, et quidem (vt euentus docuit) haud vano metu trepidanti. Quamuis apud tvam majeſtatem teſtimonio alieno mihi non eſt magnopere opus, quo minus vereor ne criminoſa immici hominis infectatio me tibi reddiderit ſuſpectum, qui nempe hoc vnum ſpectaſſe videtur, vna eademque opera vt me et apud tvam majeſtatem adduceret in ſuſpicionem, et Chriſtianiſſimo Regi redderet exoſum, vt ne vel hic in patria iucunde, vel in Gallia quiete et tuto, vitam agere poſſem; vtrumque fruſtra, vti confido in Domino: nam prius illud a tvæ majeſtatis inſigni bonitate iam ſum conſequutus, alterum hoc mihi a Chriſtianiſſimi Regis æquitate ſpondeo, ad cujus tribunal (ſi tva annuerit majeſtas, id quod ſupplex oro, atque omni opere a tua clementia contendo) decreui hominem, Deo iuris et æqui uindice bene iuuante, calumniæ reum peragere. Non enim mihi committendum eſt, vt vel tibi, potentiſſimo, optimo, et ſapientiſſimo regi impoſuiſſe, vel profeſſionis ſanctitatem et exiſtimationem gentis meæ vlli videar mortalium, nedum regibus, tam immani ſcelere contaminaſſe. Quod ſupereſt, ad pedes tuæ majeſtatis prouolutus, oro tvam majeſtatem ne hæc mea expoſtulatio tibi ingrata fuerit et moleſta, neu, quod tvam majeſtatem auſus ſum interpellare, confidentiæ potius adſcribas, quam ſtudio teſtandæ obedientiæ quæ majeſtati tvæ, reuerentiæ vero quæ a me omnibus omnino regibus debetur, vtpote in quibus Deus imaginem et repræſentamen quoddam majeſtatis ſuæ elucere voluit. Sic Deus tvam majeſtatem Britannis tuis, totique orbi Chriſtiano incolumem diu conſeruet.

Tvæ Majeſtatis humillimus et obſequentiſſimus Subditus,

Joannes Camero.

IV.

Serenissime Rex,

Vt fatiſſaciam poſtulatis latoris, permiſi mihi hoc imperari vt currente calamo ex ſcriptis meis delinearem ſenſa mea de potiſſimis religionis Chriſtianæ controverſijs. Deus bone, quanto cum periculo ſic libere viuitur et ſcribitur! At durius mihi fuit ſine tranſſumpto exemplar ipſum vix pene perlectum dimittere, et limatiſſimo ſereniſſimæ majeſtatis veſtræ judicio exponere. Sed feſtinans latoris diſceſſus in cauſa fuit, vt ſcriptum hoc tam rudi et impolito habitu ſeſe exhibeat ſereniſſimæ majeſtati veſtræ. Si quid hic ſit quod veſtræ majeſtati arrideat, et reipublicæ Chriſtianæ prodeſſe poterit, id ex votis meis continget, ſin minus, parta eſt tot liturarum jactura. Id certe mihi glorioſum et gratiſſimum fuit, me hac in re amici judicio id feciſſe quod ſereniſſimæ majeſtati veſtræ acceptum fore ſibi promittit. A ſeptem annis penetravi Angliam, me meaque ſereniſſimæ majeſtati veſtræ et bono publico litaturus, ſed aliter viſum ei qui tunc a ſecretis erat Winuodo, qui operam meam intra Britanniam non neceſſariam, imo nec ſtatui expedientem iudicauit. Oblata mihi fuit, nomine veſtro ſereniſſimo, penſio aliqua, modo vellem in his partibus aliquid elaborare, cuius nec obolum auſus eum attingere; eo quod in ditione Hiſpanica degerem, in qua ſine capitis periculo aliquid remuneratione veſtra dignum præſtare tutum non erat. A tempore quo ſum hic in Gallia, putabam haurire aerem jucundiorem et liberiorem: aggreſſus ſum Pariſiis, vbi παρέχηοία magis reſpirat, tractatum Anti-æquivocatorium, quem ſpero lator majeſtati veſtræ ſereniſſimæ exhibebit. Sed, proh Deus, cum quot difficultatibus opus finitum eſt, toto pene mundo contra me tonante. At ope et declaratione Sorbonica tempeſtas ſedata eſt. Cuditur nunc opus, et fuiſſet ex voto ſereniſſimæ majeſtati veſtræ dicatum, ſed conſilio veſtrorum, vt gratius hic recipiatur, S. ſanctitati nuncupatur. In dedicatoria expono ei, fuiſſe in animo illud ſereniſſimæ majeſtati veſtræ offerre. Si ſtatus negocia vt ſimilia ijs quæ hic mitto edam, aut

ſub protectione ſereniſſimæ majeſtatis veſtræ in nativo ſolo ea profitens libere viuam, permittent, ſereniſſima majeſtas veſtra de me decernat quod lubet: inveniet me pro veritate ex Dei et majeſtatis veſtræ charitate paratiſſimum pugilem. Interim, quicquid ſit, committo et commendo me ſereniſſimæ et regalis majeſtatis veſtræ protectioni, tanquam ei obligatiſſimum ſubditum et ſervum; rogoque Deum optimum maximum vt ſereniſſimam majeſtatem veſtram diutiſſime conſervet in plena pace et fœlicitate, vſque ad Neſtoreos annos, in eum finem vt ſereniſſima majeſtas veſtra (quæ vbique audit elogium Pacifici, pro ſua ſingulari prudentia, experientia, in Deum pietate, et zelo erga Chriſtiani orbis pacificationem) ſatiſfaciat (et plus quam abunde) opinioni et expectationi communi quam vniverſus pene orbis de ea concepit; præſertim vtriuſque partis et communionis tum Catholicæ Romanæ, tum extra eam degentium qui magis paci conſuluut, non modica ſibi et eccleſiæ promittunt, de tam egregiis Chriſti donis quæ in ſereniſſima majeſtate veſtra elucent. Ne verboſus apud ſereniſſimum meum Regem videar, hic finio. Deus pacis, potentiæque regiæ immediatus inſtitutor et conſervator, ſit ſemper cum ſereniſſima majeſtate veſtra jugiter precatur

Sereniſſimæ Majeſtatis veſtræ indignus Servus et Subditus,

Joannes Barnesius,

Artium et S. Theologiæ Doctor et Profeſſor.

Pariſiis, 10 Id. Jan. 1625.

VIRORUM DOCTORUM EPISTOLÆ.

VIRORUM DOCTORUM EPISTOLÆ.

The two Latin epistles that follow are from the same manuscript collection, in which the preceding letters to James the Sixth are preserved. The first is from Meric Casaubon, the son of Isaac Casaubon, whose name, as a very successful editor of many of the ancients, must be familiar to most of our classical readers. To whom it was sent is uncertain, although it may, with some degree of plausibility, be conjectured to have been addressed to Dr Lancelot Andrews, Bishop of Winchester, who was the patron of the writer, and from whom he obtained the living of Bledon, in Somersetshire.

Meric Casaubon, according to Bayle, was born at Geneva, upon the 14th of August 1599. He began his studies at Sedan, and continued them in England, whither he came with his father in 1610. He was sent to Christ Church College in Oxford, where he made so great a progress in logic and philosophy, that he took the degree of Master of Arts, June the 14th 1621. In that year he published a book in defence of his father against the calumnies of certain Roman Catholics.* This work gained him the patronage of King James VI., and procured him considerable reputation abroad, especially in France, whence he had several offers of promotion there; his godfather, Meric de Vique, being then, or soon after, keeper of the Great Seal of that kingdom. The next book he published was a vindication of his father, in Latin, written by command of James VI.† About this time he was presented to the living of Bledon. He was afterwards made Prebendary of Canterbury, and Rector of Ickham, near that city, by Archbishop Laud. In 1631 he published at London, in 8vo, "Optati Libri vii. de Schismate Donatistarum, cum Merici Casauboni notis et emendationibus;" and in 1634 he published an English translation of Antoninus's Meditations, of which a second edition was printed the ensuing year, and a third in 1664.

Casaubon was created Doctor of Divinity at Oxford, on the 31st of August 1636, when King Charles I. and his Queen visited that University. In 1638 he

* Pietas contra Maledicos Patrii Nominis, et Religionis Hostes. Londini, 1621, 8vo.

† Vindicatio Patris adversus Impostorem qui librum ineptum et impium de Origine Idololatriæ nuper sub Isaaci Casauboni nomine publicavit. Londini, 4to.

produced his "Treatise of Use and Custom," 4to. The great civil war deprived him of his preferments; and although Cromwell* was desirous of serving him, and made many offers to that effect, his loyal feelings would not permit him, although in very reduced circumstances, to accept any favour at the hand of one who had brought his royal master to the scaffold. At the Restoration, he recovered all his spiritual preferments, and continued writing till his death, which happened July the 14th 1671, and in the seventy-second year of his age.

The next letter is from Lancelot Andrews, Bishop of Winchester, to Peter du Moulin, or Molinæus, as he chooses to Latinize it. His Lordship was an eminent divine, and the author of several devotional and controversial works. King James is said to have stood so much in awe of him for his piety and virtue, that in his presence he refrained from that mirth and ribaldry in which he indulged himself at other times. It is of this prelate that the following anecdote is related. Waller, the poet, going to see the King at dinner, observed Dr Neale, Bishop of Durham, and the Bishop of Winchester, standing behind his chair. His Majesty asked the Bishops, "My Lords, cannot I take my subjects' money when I want it, without all this formality in Parliament?" The Bishop of Durham readily answered, "God forbid, sir, but you should; you are the breath of our nostrils." Whereupon the King turned and said to the Bishop of Winchester, "Well, my Lord, what say you?" "Sire," replied the Bishop, "I have no skill to judge of Parliamentary cases." The King answered, "No put-offs, my Lord; answer me presently." "Then, sire," said he, "I think it lawful for you to take my brother Neale's money, for he offers it." This amiable and upright man died at Winchester House, in the Strand, upon the 25th of September 1626, in the seventy-first year of his age, and was buried in the parish church of St Saviour's, Southwark.

Peter du Moulin† was, as is well known, a distinguished champion of Protestantism, and the author of many learned works.‡ He was born 18th October 1588, and died at Sedan, where he was professor of divinity, 10th March 1658, in the seventieth year of his age.

* Cromwell proposed that a sum of between three and four hundred pounds should, unconditionally, be placed at Casaubon's disposal, to be used as his occasions might require.

† See a life of him in the Biographie Universelle, tom. xxx. p. 350. Paris, 1821, 8vo.

‡ Among these was the Anatomy of the Mass, of which a translation, by P. Falconer, was published at Edinburgh in 1641, in small 4to.

I.

MERICI CASAUBONI EPISTOLA AD QUENDAM EPISCOPUM.

Reuerendissime Domine,

Fruſtra ego pietatis laudem quæſiuerim in defendendo patre ab apertis et iuratis hoſtibus, niſi eum quoque ab inteſtinis iniuriis, quantum in me eſt, ſtudioſe vindicem. Nulla atrocior iniuria defunctis poteſt inferri, quam alienos ipſis eoſque portentoſos fœtus ſupponere, quibus innocentum fama traducatur. Nuper eſt hic editus liber ſpecioſo titulo de Sacramentis et Sacrificiis omnis æui, Iſaaci Caſauboni nomen præferens. Per totum librum incredibilis ignorantia cum pari videtur audacia certare. Semidocti alicuius ingenium facile quis agnoſcat, qui cæco, aut infano potius, partium ſuarum ſtudio abreptus, quo iure quaque iniuria aduerſariis malediceret, undique crimina et conuitia nullo iudicio congerens, penſi nihil habuit. Patribus interim et antiquis ſcriptoribus non parcit, multa, inaudita culpandi licentia, damnans et irridens eccleſiæ veteris inſtituta ſanctiſſima, quæ religioſe obſeruat et amplectitur eccleſia Anglicana. Pater igitur, qui veram antiquitatem adeo ſemper veneratus eſt, qui eccleſiam Anglicanam tantopere laudauit, quod in ea primitiuæ eccleſiæ ſpeciem atque imaginem videre ſibi videretur, hic in ſcenam producitur infeſta fronte cum omni concurrens antiquitate, multoſque huius eccleſiæ ritus ſubſannans et ſugillans, qui a primis eccleſiæ temporibus originem duxere: quod quid aliud eſt quam illi ſceleratiſſimæ diſſimulationis et venalis conſcientiæ crimen impingere? Spero autem neminem eſſe cui vnquam nota fuerit patris de rebus hiſce ſententia, atque in ſcribendo moderatio, quique de vera eruditione iudicare queat, cui vel paucis in libro delibatis, de fraude et impoſtura non ſtatim veniat in mentem; et ſi quiſquam eſſet, cui res clara ſatis non eſſet, nihil mihi facilius, quam ex eis quæ adhuc ſeruo patris mei monumentis huius generis manifeſto euincere, nihil eſſe magis ab eius ſententia alienum, nihil a genio et doctrina magis remotum, quam quæ hoc in ſcripto continentur. Hac igitur in animi mei

ſollicitudine pro patre, ad te, Præſul illuſtriſſime, confugio, ut pro tuo veritatis amore, et erga patrem veteri beneuolentia, tua Rex fereniſſimus opera de tanta iniquitate intelligat, et defuncti memoriæ benignus ſacræ ſuæ authoritatis præſidio conſulat. Non dubito quin Rex fereniſſimus, cui non ita pridem grata fuit ſuſcepta patris a me defenſio contra inimicos poteſtati ipſius non obnoxios, eundem nunc a ſui iuris hominibus non minus grauiter impetitum ſit libenter uindicaturus.

Tuæ Reuerentiæ cultor humillimus,

Mericus Casaubonus, Is. F.

II.

LANCELOTTI ANDREWS, EPISCOPI WINTONIENSIS, EPISTOLA AD PETRUM MOLINÆUM.

Nondum abierat veredarius, hærebat hic ad diem unum atque alterum, atque apud eum interiores iſtæ literæ meæ, ſic, ut ſunt, obſignatæ, cum ecce, alteras tuas accipio, perferente eas Domino Beechero, Ex-Agente Regio, nuper a vobis reverſo. Repeto ſtatim priores meas, nec recludo tamen, ſed, ſic ut erant, haſce illis ſuperinduco. Nolui enim committere, ut bis idem peccarem; quin potius, ut tarditatem prioris reſponſi hujus celeritate compenſarem. Accipies igitur cum primis ſecundas has, gratiaſque una meas de geminis tuis; ſed δευτεροπρώτας quaſi, nempe in ſecundis hijs primas jam, in primis illis ſecundas (ut ſe res habet). Gratias, inquam, tum de libro illo tuo jampridem miſſo, tum de poſteriore hoc, propediem (ut ſpes eſt) mittendo. Negabat enim D. Beecherus vel compactum adhuc (cum illinc diſcederet) vel certe ad ſe delatum; ac eo nomine acceſſit ad me ſerius; ſed juſſit porro ſperare me nec fruſtra fore.

De mitigando in te Regis animo non eſt (mihi crede) quod labores. Nihil habet animus ejus quod mitigare opus ſit: habet ſorte unde magis

adhuc magiſque conciliare poſſis, facturus operæ pretium ſi id feceris. Feceris autem, ſi viam ineas, quam a nemine mortalium melius diſcas, quam ab ipſo. Ego vero libens agnoſco æquiorem te in res noſtras, pleriſque veſtrum; quanto magis antiquitatem verſas, tanto æquiorem; addo et æquiorem adhuc multo futurum, ſi te fineret eccleſia veſtra; utinam autem fineret. Illa, ut videtur, perſonarum vitia ad res tranſtulit, rerumque adeo legitimum uſum propter abuſum ſuſtulit: paulatim hoc a vobis dedocenda; cui dum tu morem gerere vis, morem ipſe animo tuo non geris. Nam de animo tuo ex calamo conjecturam facio. Adeo enim in nos propenſus calamus tuus, ut ſcripſerit, credo autem te non invito, noſtrum epiſcoporum ordinem rem eſſe receptam in eccleſia inde a ſeculo Apoſtolorum. Recte autem hoc ſcripſerat calamus. Id tu litura ſcilicet induxiſti (nempe τὸ Apoſtolorum) ac vicem ejus, Apoſtolis proximo expoſuiſti. Credo autem hoc in gratiam eccleſiæ veſtræ. Ac verum illud quidem quod repoſuiſti (Apoſtolis proximo); ſed et illud non minus verum quod obduxiſti. Fuit enim ordo ille non a ſeculo modo Apoſtolis proximo, ſed et ab ipſo adeo ſeculo Apoſtolorum; aut nos tota fallit antiquitas, aut nulla ſupereſt hiſtoria eccleſiæ fide digna. Totam antiquitatem a nobis eſſe, nec ipſe negas: an vero eccleſiæ jam ulli plus deferendum, quam antiquitati toti, ipſe videris. Si te ſcio, quam magis hæc ad te libere ingenueque ſcripſero, tam me magis amabis, ego te itidem varia mecum in hoc facientem. Audi ergo, nobis hoc ſatis non eſt, ſi non aſpernetur quis noſtram eccleſiæ politeiam, ut rem vitioſam aut improbam: id enim agimus, ut palam ſit et in confeſſo, eam eſſe apud nos politiæ formam, quæ quam proxime accedat ad morem inſtitutumque eccleſiæ priſcæ, ſive (ut tu concedis) Apoſtolis proximæ, ſive (ut ſemel ſcripſeras, et nos contendimus) ipſius Apoſtolicæ. Quin hic idem nobiſcum ſentias, nullus dubito; quod ſentis, ſi (per eccleſiam veſtram) potes præ te ferre, rem nobis pergratam feceris: ſi non potes, rem non ingratam ſi noſtra igitur dehinc jam miſſa feceris: quam enim viam ingreſſus es, vix erit, ut et tuis placere poſſis et noſtris non diſplicere. Nec tamen ſi noſtra divini juris ſit, inde ſequitur, vel quod ſine ea ſalus non ſit, vel quod ſtare non poſſit eccleſia. Cæcus ſit qui non videat ſtantes ſine ea eccleſias. Ferreus ſit, qui ſalutem eis neget. Nos non ſumus illi ferrei:

latum inter iſta diſcrimen ponimus. Poteſt abeſſe aliquid quod divini juris ſit (in exteriore quidem regimine) ut tamen ſubſtet ſalus: nec tu igitur addices Tartaro, aut ſententiam damnationis feres in gregem tuum. Non eſt hoc damnare rem, melius ei aliquid anteponere. Non eſt hoc damnare veſtram eccleſiam, ad formam aliam, quæ toti antiquitati magis placuit, id eſt, ad noſtram, revocare; ſed ubi Deus dederit, et res veſtræ ferent. De hoc ſi conveniat inter nos, cætera concordes erimus. Optamus autem non ſartam integramque concordiam, ſed integre integram abſque ſartura omni; quam et tibi in votis eſſe non dubitamus. Si quid porro ſupereſt, remitto te ad priores meas: negotioſi enim hic jam ſumus. Quas æquitati tuæ commendo. Commendo autem te meis, meque adeo tuis ad Deum precibus commendatum cupio. Bene vale. Londini pridie Idus Decemb. 1618.

[In dorſo]

The Bp. of Wincheſter to Monſr. du Moulin.

JOANNIS HOSKYNS

SUPPLICATIO AD REGEM.

JACOBO MAGNÆ BRITANNIÆ REGI MAXIMO, CLEMENTISSIMO.

Jam mihi bis centum fluxere in carcere noctes,
Quælibet at lachrymis nox madefacta meis:
Bis centum rutilante dies candore notati,
Sed mihi (væ mifero) quælibet atra dies.
Nulla fatigatis venia exorata querelis,
Nec penitus fracto corde petita datur.
Non me amiffa movet (minui quam crimine) fama,
Non me cauſidici lucra negata fori;
Non movet injuſti vindex ſibi creditor æris,
Inque meo quamvis debitor ære tenax;
Non qui juſta negat mihi vectigalia, nullo
Captivos retinens jure colonus agros;
Non qui armenta meis ipſa inſultantia vinclis,
In mea prædator prædia liber agit;
Non nati triſtes, non flens ſine conjuge conjux,
Non nimis exiguæ magna ruina domus;
Vnum hoc infauſto lapſis ex ore loquelis,
Me tibi, meque Deo diſplicuiſſe dolet.
Omnia perpeterer placato teque Deoque,
Et mihi paupertas libera grata foret.
Et piget, et doleo, ſed quod doleoque pigetque,
Non finis (heu) tanta lenius eſſe mora.
Vt lugere meum eſt, ita luctu nolle moueri,
Eſt nimis a genio res aliena tuo.
Parce, Britannorum mitiſſime, maxime Regum,
Anglorum minimo ſubditus ore minor.

Parce, nec vlterius noſtrum averſare dolorem:
Ille dolet fruſtra qui ſine fine dolet.
Si mihi ſit linguæ pœna hæc diuturna procacis,
Solus apud ſuperos Tantalus alter ero.
Stat miſer, et labris poma illudentia perdit,
Vſque recedentes vſque ſecutus aquas:
Sic me libertas inhiantem vana relinquit,
Et magis, vt magis eſt viſa propinqua, fugit.
Eſt libertatem Jani dare fueta calendis
Mancipiis olim Roma benigna fuis:
Tu melior quovis Romano Cæſare Cæſar,
Captivum placida me quoque mitte manu.
Sic tibi ſæpe novus ſemper fælicior annus
Tempora præteritis proſperiora ferat:
Sic tua ſe longe hinc in cœlum porrigat ætas,
Tot numerans annos, quot mea vincla dies.

Britannorum

Minimus,

Miſerrimus,

J. Hoskyns.*

* Balfour MSS. Advocates Library. An account of Hoskyns will be found in Wood's Athenæ Oxonienses, vol. ii. p. 624, Bliss's edit. These verses, now for the first time printed, probably refer to the writer's imprisonment, for an allusion made by him in Parliament to the Sicilian Vespers, for which he was committed to the Tower, and from whence he was not liberated until after a year's confinement. According to Wood, Hoskyns "polish'd Ben Jonson the Poet, and made him speak clear, whereupon he ever after called our author Father Hoskyns, and was he that view'd and review'd the History of the World, written by Sir Walter Raleigh, before it went to the press." He fought a duel with Sir Benjamin Rudyard, the Poet, and wounded his antagonist. He died 27th August 1638, aged 72.

TRIALS FOR WITCHCRAFT, SORCERY, AND SUPERSTITION, IN ORKNEY.

TRIAL OF MARABLE COUPER, FOR WITCHCRAFT, SORCERY, AND SUPERSTITION.*

INTRAT on pannell, MARABLE COUPER, ſpous to Johne Spens in the Northſyd of Birſay, befor Sir Johne Buchannane of Scottiſcraig, knyght, juſticiar, and ſchireff-principall of Orknay and Zetland, to anſuer at the inſtance of Robert Chalmer of Ryſſay, procuratour fiſchall of the ſchireffdome, for certane pointis of Witchcraft, Sorcerie, and Superſtitioun; at the leaſt, behaveing hir ſelff to haue ſic ſkill and knawledge, thairthrow abuſeing the people, as follows:—

IN the FIRST, ȝe, the ſaid Marable Couper, ar indyttit and accuſit for airt and pairt of the vſeing, comitting, and practiſing of the diveliſh and abominable cryme of Superſtitioun, Witchcraft, and Sorcerie, in that, at Mid-ſomer, four ȝeiris ſyne or thairby, Dauid Mowat in Bankis in Birſay, haveing mareit Margaret Corſtoun, thay haid thrie new callowit kyne, quhairof the ſaid Margaret wantit the proffeit; and ſuſpecting ȝow, ſcho came to ȝow and reprovit ȝow, calling, Baniſched witche, quhy had ȝe tane the proffeit of hir kyne; quha anſuerit hir, that it ſould be ſevin ȝeiris or ony witche tuik the proffeit agane from hir kyne. Quhairvpoun followit that the nixt ȝeir, the ſaid Dauid and Margaret had thrie kyne, quhairof the ane deit in callowing, and the calff tane out of hir wombe; the nixt callowit ane calff, and never gave milk; and the thrid thir four ȝeiris paſt never tuik bull: And at the Candlemes efter, the ſaid Margaret meiting with ȝow at ȝour awin dore, and efter many wordis and flyt-

I.
Margaret Corſtoun, preſent, maid fayth that the firſt point of dittay was trew.
The pannell denyet it.
FYLLIS hir of the firſt point of the dittay; and in the ſecond point, that ſcho gaue hir ſelff hir knawledge, in that ſcho ſaid ſcho ſhould want worth the beſt horſe in Birſay.

* For the intereſting Trials for Witchcraft that follow, the Abbotsford Club is indebted to James Allan Maconochie, Esq., Sheriff-Depute of Orkney, who obligingly communicated the original documents, recently discovered in Kirkwall.

ting, the ſaid Margaret haueing ſtruken 3ow ffor the loſe that ſcho had of hir kyne, 3e ſaid to hir, that by the loſe of hir kyne ſcho ſould want worth the beſt horſe that was in Birſay: And at the Beltane thairefter, ſcho had ane kow that deit, and tua 3oung beaſtis. Quhilk 3e did not onlie be 3our witchcraft and divelrie, bot gave 3our ſelff furth to haue ſkill to do thingis; and quhilk, rank witche, 3e can not deny.

II.
The ſaid Margaret maid fayth conforme to the ſecund point.
The pannell denyet.
FYLLIS hir, in respect of the dittay ſworne, and that ſcho gaue hir ſelff furth to haue ſkill, quha ſaid ſcho ſould lay hir lyf for him.

SECUNDLIE, in that immediatlie efter the tyme forſaid, the ſaid Dauid Mowat, haueing met 3ow cuming to 3our hous with ane ſtoup of aill, quhairof 3e cauſit him to drink; and that ſame night efter, he contractit ſeiknes, and fyftene dayis thair efter 3e came to viſite him, quha ſaid, 3e wald lay 3our lyff for him, and that he wald ly 3it ane moneth ſeik or he war heall; quha continwit ſeik, according to 3our ſpeiche, and never ſlipit, and at the ſext oulkis end he became heall, be 3our witchcraft and divelrie: Quhilk, rank witche, 3e can not deny.

III.
The ſaid Margaret maid fayth conforme to the thrid.
The pannell denyet.
FYLLIS hir, in respect of hir frequent coming to the hous, and the last tyme anent the staying of the querois.

THRIDLIE, in that, in harveſt four 3eiris ſyne or thairby, quhen the ſaid Dauid firſt gaid to his barne with his new corne, 3e came to his hous, and quhen he gaid to the kill 3e came agane, and quhen the ſaid Margaret was grinding ane lock of beir on the quernis, 3e came to the hous and ſaid, 3e was cam to get 3our killtreis that hir gudman had borrowit; and the ſaid Margaret gaid furth to her gudman, and tald him that 3e was cum to get 3our kiltreis that he had borrowit; and he, haueing borrowit nane, was werrie angrie, and ſaid he was euer cumerit with 3ow, and thoucht to haue dung 3ow; and quhen he ſaw 3ow, he had no power to ding 3ow, bot reprowit 3ow, flet with 3ow, and bad 3ow away; quha gaid away: Bot efter, beith the ſaid Margaret and hir ſervand could not gar the quernis gang about, and the thing that was ground was lyk dirt; and going to the mylne with the reſt, it was lyk dirt as the vther: And James Spens your gud brother, being ſervant with them, and thay geving 3ow the wyte, he cam to 3ow and reprovit 3ow, and incontinentlie the reſt of the meill was affe gud and fair as could be poſſible, be 3our witchcraft and divelrie: Quhilk 3e, rank witche, can not deny.

IV.
The said Margaret maid fayth conforme to the fourt.
The pannell denyet.

Fourtlie, in that vpoun Monday befor Faſtingis evin thairefter, ȝe came to the ſaid Dauid his hous, and efter mony wordis and flytting, he gaue ȝow ane cuff, and pat ȝow to the dore, and ȝe ſuore that he ſould repent that ſtraik; and four dayis efter he haueing put ſex meillis of aittis vpoun his kill to dry, the kill tuik fyre and brunt, and the cornes that he got ſaiff he tuik to Alexander Ingſayis kill, quhilk lykwayis tuik fyre and brunt, be ȝour witchcraft and divelrie: And quhilk, rank witche, ȝe cannot deny.

V.
The said Margaret maid fayth conforme to the fyft.
The pannell denyet the dittay, but confeſt the geving of the drink.

Fyftlie, in that, at Alhallowmes thrie ȝeiris ſyne, the ſaid Margaret Corſtoun haueing contractit ſeiknes, dwyned be the ſpace of foure monethis, and could get no mendis at hame, nor quhen ſcho wes brocht to the toun of Kirkwall; and ſua returning hame againe, and going to Alexander Philipis hous by ȝour hous, ȝe was ſtanding at ȝour dore, and the ſaid Margaret ending in wordis and flytting with ȝow, called ȝow ane baniſhed witche, and ſaid giff ſcho deid, ſcho ſould lay hir dead vpoun ȝow; and ȝe ſaid to hir, ſcho micht haue reprowit ȝow quyetlie giff ſcho had ony thing to ſay to ȝow; and ȝe tuik hir in to ȝour hous, and tuik ane birſtane ſtane and pat it in the fyre, and hate ane drink of ale with it, and gave hir to drink; quhairby, as be ȝour witchcraft and divelry, ȝe caſt the ſeiknes, ſo be the lyk divelrie and witchcraft ſcho gat hir health: Quhilk, rank witch, ȝe can not deny.

Fyllis conforme to the dittay ſuorne, and her confeſſioun.

VI.
The said Margaret maid fayth conforme thairto, and confeſt be pannell it was the guttis of ane lambe.
Fyllis in respect of the ayth and hir confeſſioun be diſſimulatioun.

Sextlie, in that, tuentie dayis efter Candlemes, thrie ȝeiris ſyne, the ſaid Margaret Corſtoun cuming to ȝour hous efter Alexander Philpis wyff and ȝe diſcordit, and being in ȝour bed, ȝe layed by the lap of the claithes, and lut hir fie beſyd ȝow, as it haid be[en] ane great bag lyk ane ſwynes bledder, great at the ane end and ſmall at the vther, quhilk ȝe ſaid was ȝour guttis that Alexander Philipis wyff had tramped out with hir knees; and that ſame day Oliuer Garacoat hauing cum to ſumond ȝow to compeir befor the feſſioun, ȝe ſaid to him, how could ȝe cum, for Alexander Philpis wyff had pvſſit out ȝour guttis, and lutte him fie as it had bene ȝour guttis lying beſyde ȝow, moſt fearfull to look to, and was nothing bot divelrie: Quhilk, rank witche, ȝe cannot denny.

VII.
The said Elspeth maid faith conforme to the dittay, and Thomas Seater to the last part.
The pannell confest the haueing of the grasse, and that it was tane fra hir, and denyet the rest.
Fyllis hir, conforme to the dittay, sworne, and in the haill points by hir confessioun.

Item, ȝe, the saíd Marable Couper, ar indyttit and accusit for airt and pairt of the usеing, comitting, and practising of the diveliſh and abominable cryme of Superſtitioun, Witchcraft, and Sorcerie, in that, vpoun Monday efter Sanct Magnus day, in Boir, I^{m} vj^{c} and tuentie tua ȝeiris, Thomas Seatter in Seatter, haueing enterit his pleuche to the beir ſeid, and Margaret Bimbiſter, his ſeruant, leading the pleuche, the ſaid Margaret luked about and ſawe ane cuming vp the burne, and ane blak bruch about hir, quha ſaid to hir maiſter, I ſie ane woman cuming vp the burne, and ane blak bruche about hir, and quhen he ſaw hir, he beſeached him to God, and ſaid, it wes Marable Couper; and quhen ſcho came to the pleuche, ſcho ſaid hir erand was to lay hir culter, bot ſcho haid nane with hir, and he bad hir ſend hir huſband or ſone, and the turne ſould be done. So ȝe depairting, gaid to his hous, and ane kow being callowing, ane pair of ſcheittis ſtentit about hir that ſcho ſould not be ſene, and Elſpeth Thomeſone, ſpous to the ſaid Thomas, being beſyd hir, or euer ſcho wiſt, ȝe was within the ſcheittis and luiking ouer her ſhoulder; quhairat, ſcho being affrayed, and beſeaching hir to God, ſcho comandit ȝow away, and ȝe going furth, enterit in hir byre, and ſat doun betuix tua kyne, and quhen ȝe was perſawit be ane bairne, and the ſaid Elſpeth advertiſed thairoff, ſcho came furth to ȝow, and ſaid it was for na gud ȝe was cum thair; and ȝe anſuerit hir, ȝe was cum to advertiſe hir that hir gudman was wattit on for his lyff, and hir kyne for evill, and that ſcho wald want hir kyne or hir gudman want his lyff; and ſchew hir that ȝe haid brocht ane ſort of graſs to ſaue hir kyne; and the ſaid Elſpeth being affrayed, gaid to hir gudmane and tald him, quha came hame with hir, and gart ȝow deliuer the graſſe to his wyff, quha draiked it in leaven, and gaue it to tua dogis, quha ran wood, and ane of thame mad the forme of ryding ane kow, quha, efter he tuiched hir with his feit, ſcho piſched blud, and ſchortlie efter raged to dead; and quhen he was put from the kow, he vſit the lyk to four calffis, quha piſhed blud lykwayis, and ceaſſit not quhilk he was ſtickit; and the vther dog lykwayis raged quhill he was libed: And within tuentie four houris efter the ſaid kow was dead, ȝe came bak agane to Seatter, as it war lamenting for the dead of the kow, and ſaid to the ſaid Elſpeth, giff ſcho wald let ȝow ſie the place quhair the kow deid, ȝe wald tell hir

quhidder thay war deid or liveing, that had the wyte of the kowis death; quhilk ȝe did, not onlie be ȝour divelrie and witchcraft, bot gaue ȝour felff furth to haue fic fkill and knawledge.

VIII.
Elspeth Thomesone maid faith that Agnes Paplay tald conforme to the dittay, and thair that quhen the said Marable came to heall hir * * * * * * * *

Secundlie, in that* ȝe gaue ane peice bannock to vmquhile Katherine Fulfetter, fpous to Jon Crowdan, quha immediatly efter tuik feiknes and dwyned ane lang tyme, and ȝe cuming to vifite hir, defyrit almous of hir, and faid fcho wald be weill, quha gaue ȝow ane pynt of aill; and ȝe, fetting the aill befyd ȝow, ane fwyne came and cuft it downe: than ȝe defyrit ane vther pynt of aill, quhilk fcho refuffit, and ȝe being angrie, gaid furth at the dore, and faid fcho fould neuer fell aill again; quhilk came to pas be ȝour witchcraft and divelrie, for fchortlie the faid Katherine deid: Quhilk, rank witch, ȝe can not deny.

Pannell denyet.
Ryffis clauso ore.

IX.
The said Elspeth maid faith conforme to the dittay.
The pannell confest the going with the faire tuise.
Ryffis clauso ore anent the first part of the dittay, and FYLLIS hir in the last, that scho gaid with hir companie.
Confest be hir.

Thridlie, in that† the faid Elfpeth Thomefone came to ȝour hous to feik barme, ȝe being fitting at the fyre fyde, ȝe gave baith aill and barme to the divell, that was in ȝour hous; and quhen fcho reprowit ȝow, and faid that ȝe haid baith aill and barme, ȝe fat downe vpoun ȝour knees, and prayed to God that ȝour foull might newer fie the kingdome of hewen, giff ȝe haid ayther barme or aill; bot the faid Elfpeth going in ȝour feller, quhilk was dungeon mirk, and putting furth hir hand to greap about hir, hir hand chanced in ane barrell of aill with ane hat of barme vpoun it, quhilk fcho teafted to be aill; and the hous growing fumquhat lighter, fcho luked about hir, and faw ane halff barrell new aill ftanding of ane cheft head: And at the Alhallowmes efter, fcho, reproveand ȝow for ȝour baning and fwearing, and that ȝe fould haue gevin ȝour felff fo to the devill, ȝe faid ȝe haid nothing to do with the devill; bot quhen ȝe lay in gifling of ȝour fone Robie, ȝour companie came and tuk ȝou away, and that thay fetche ȝow, and ȝe ar with thame ewerie mone anfe: Quhilk ȝe, rank witche, can not deny.

X.
FYLLIS hir in the haill generall dittay.

And generallie, ȝe, the faid Marable Couper, ar indyttit and accufit as

* Sic in MS.

† The remainder is destroyed by damp.

ane comoun witche, for airt and pairt vſeing, comitting, and practiſing of the abominable cryme of Superſtition, Witchcraft, and Sorcerie, and in going with the divell, quhom ȝe confeſt takis ȝow away ilk mone anes; and in geving ȝour felff furth to haue ſic conſtand knawledge; thairthrow abuſeing the people, and wronging and ſtaying man and beaſt, and ſua not onlie reput and haldin ane comoun and notorious witche, bot being convict in ane Juſtice Court of befor, in certane pointis of witchcraft, ȝe was adjudgit to be baniſhit the parochin of Birſay of ȝour awin conſent, and not to be ſene nor found within it, vnder the paine of taking the cryme of witchcraft vpoun ȝow: And thairfor, and ſeing ȝe haue maid ȝour continwallie reſidence in the ſaid parochin ſenſyne, ȝe aucht and ſould of new agane vndergo the tryell of ane aſſyſe, and be adjudgit and condemnit to the death, for the cauſſis forſaid, and in example of vtheris to do the lyk; and ȝour guidis and gear to be eſcheit and inbrocht to his Majeſteis vſe, conforme to the lawis and daylie practique obſeruit in ſic caiſſis.

Curia Justiciariæ vicecomitatus de Orkney, tenta apud Kirkwall, ſeptimo die menſis Julij, per Dominum Joannem Buchannane, anno Domini 1624.

The pannell, entering in judgment, could alledge no reſſonabill caus quhy ſcho ſould not pas to the tryell of ane Aſſyſe; quhairvpoun the procuratour fiſchall aſkit actis and inſtrumentis, and deſyrit ane Aſſyſe to be called.

ASSISA.

Robert Sclaitter in Swannay.
Jo^{n}. Sclaitter in Bea.
Ro^{t}. Sclaitter in Ueſthous.
Alex^{r}. Jonſone in Kirbuſter.
Alex^{r}. Ingiſgar in Fald.
Gawen Fulfetter in Himland.
Jerome Chalmer in Kirk[wall.]
William Sclaitter in Buirdhous.
Edward Dodſone in Brek.
W^{m}. Ingſay in Kirkun.
Alex^{r}. Iſbiſter in Greining.
Ro^{t}. Linkletter in Garſetter.
Ro^{t}. Hunter in Yſtaquoy.
Dauid Moir in Elibrek.
Jo^{n}. Moir in Sawaquoy.

That the Aſſyſe being receauit, ſuorne, and admittit, but oppoſitioun of the pannell, the procuratour fiſchall aſkit inſtrumentis, and proteſtit for wilfull error.

The Aſſyſe, paſſing out of judgment, nominat Jerome Chalmer in chancellair.

And reentering in judgment, all in ane voice, be the mouth of the chancellair, Fyllis the ſaid Marable Couper in the firſt point, conforme to the dittay ſuorne to; and in the ſecund point, that ſcho gaue hir ſelff to haue knowledge, in that ſcho ſaid ſcho ſould waint worth the beſt horſe in Birſay.

Fyllis hir in the ſecund point of dittay, conforme to the dittay ſworne; and that ſcho gave hir furth to haue knawledge, in that ſcho ſaid ſcho ſould lay hir lyff for him. Fyllis hir in the thrid point, conforme to the dittay ſworne, anent hir frequent cuming to the hous, and at the laſt tyme, that the quernis wald not grind, and that quhen ſcho was reprowit the meall cam gud.

Anent the fourt ryffis clauſo ore, becauſe fyre is accidental.

Anent the fyft, fyllis . . . . . .* ſcho gaue hir ane drink.

Fyllis in the ſext, conforme to the dittay ſuorne, and hir confeſſioun that it was lambes guttis.

Fyllis in the ſevint point, in reſpect the ſame was laufullie ſuorne be Elſpeth Thomeſone and hir huſband, and hir awin confeſſioun that ſcho haid the greſs, and gaue it.

Anent the aucht ryſſis clauſo ore, becaus it is nayther borne nor ſworne.

Anent the nynt point ryffis clauſo ore, anent the firſt pairt, anent hir baning and ſwearing; and Fyllis hir, conforme to hir confeſſioun, anent hir going with hir companie.

* Torn in MS.

Fyllis anent the laſt and generall point, that ſcho is ane witche, and for vſing and practiſing of Witchcraft, and geving hir ſelff furth to haue ſick knawledge, abuſeing the people, and that thay reput and hald hir ane comoun and notorius witche.

Remitis ſentence to the Judge, anent the premiſſis, and dome to the dempſter, and for contraveining the laſt dome, quhairin thay Fyle hir.

JEROME CHALLMER.

SENTENCE.

THE Judge acceptis the determinatioun of the Aſſyſe, and ordanis the pannell to be tane be the lockman, hir hands bund, and be caried to the head of the Lon, the place of execution, and thair to be knet to ane ſtaik, wiried to the death, and brunt in aſſes.

Quhilk Donald Kenner, dempſter, gave for dome; quhairvpoun the procuratour fiſchall tuik inſtrumentis.

TRIAL OF ANIE TAILZEOUR, *alias* RWNA ROWA, FOR WITCHCRAFT, SORCERY, AND SUPERSTITION.

Intrat vpoun pannell, Anie Tailzeour, *alias* Rwna Rowa, to vnderly the law befor Sir Johnne Buchanane of Scottiſcraig, knyght, juſtice, and ſchireff-principal of Orknay, at the inſtance of Robert Chalmer of Ryſſay, procuratour fiſchall of the ſaid ſchireffdome, for certane pointis of Witchcraft, Sorcerie, and Superſtitioun, at the leaſt behaueing hir ſelff to haue ſic ſkill and knawledge, thairthrow abuſing the people, as followis.

I. Thomas Burwick maid fayth conforme to the points of the dittay. The pannell denyet. Fyllis.

In the firſt, ȝe the ſaid Anie Tailzeour ar indyttit and accuſit for airt and pairt of the vſeing, comitting, and practiſing of the diveliſche and abhominable cryme of Superſtitioun, Witchcraft, and Sorcerie, in that aucht or nyne ȝeiris ſyne, in fauchland tyme, Williame Burwick in North Ranſay, and William Swaniſone thair, being in Airſay, ȝe came and ſoght ane luik beir fra the ſaid William, and Thomas Burwick, ſone to the ſaid William, reprowing ȝour importunitie, ȝe was angrie, and called him "gallow bread!" quhilk is, hangit man; and his father being angrie, baid ȝow "Away, witch, rigand theiff!" quhairat ȝe being angrie, fleat, and chyded, and paſt ȝour way. And quhen they ȝocked the pleuche, the pleuche wald not enter in the ground, neither for the ane nor the vther, temper hir quhat ſcho wald; and thairefter the culter and ſock gaid out off the pleuche be ȝour witchcraft and diuelrie: Quhilk, ȝe rank witche, ȝe can not deny.

II.
Thomas Logie, present, maid fayth conforme to the dittay to his knawledge.
The pannell denyet.
Lyk as the said Thomas this day deponit and declarit, that scho said, giff he wald get hir out, scho sould do quhat scho could to gar his wyff get hir health, and help hir giff scho myght be helpit.
Jerohme Fothringhame, and Ard Dase, with diuerse vtheris, verefeit the same.
Indifferent anent the vnbesetting of the cattis, and FYLLIS hir anent his seiknes.

ITEM, 3e ar indyttit and accufit for the faid cryme of Witchcraft, in that, vpoun the thrid day of September, I^m vj^e and fextene 3eiris, 3e being wardit be the Seffioun in the Croce Kirk, Thomas Logie, cuming to his awin hous leat ane evin, and meitting ane number of cattis within the dyk of Colzigar, vpoun the brae, among the beir fchaues, quhilk vnbefett him, the faid Thomas faw 3our face vpoun ane of [the] cattis; and at the Candlemes thairefter, 3e cuming to his hous, and he reproueing 3ow, alledgand 3ow to haue bene among the cattis that vnbefett him, 3e lughe and fkorned it; vpoun the quhilk reprooff, the faid Thomas contractit feiknes for the fpace of tua 3eiris, quhill his wyff came to 3ow, and fleat with 3ow; and thairefter the faid Thomas convaleft, and his faid wyff immediatlie tuik feiknes, quha 3it continwis feik, and not lyk to liue, be 3our witchcraft and diuelrie: Quhilk 3e, rank witch, cannot deny.

III.
The said Thomas maid fayth conforme to the dittay.
The pannell denyet.
FYLLIS.

ITEM, 3e ar indyttit and accufit, in that, ane 3eir efter, 3e cuming to the faid Thomas' hous, keipit not the hie gait, but went in throught the cornes, and came through his kyne, quha prefentlie wanttit thair proffeit for the fpace of tuentie dayis; and quhen the faid Thomas focht 3ow, and reprowit 3ow, and boaftis to ding 3ow, that fame nyght the proffeit of the kyne was reftored, be 3our witchcraft and diuelrie: Quhilk, rank wiche, 3e can not deny.

IV.
Mr Thomas Cok confest it is trew.
The pannell denyet not, but scho said scho was vncouth, and wist not quhat to say.
FYLLIS.

ITEM, 3e ar indyttit and accufit for the forfaid cryme, in that 3e, being demandit be Mr Thomas Cok, and Thomas Sinclair, baillie, how 3e tuik the proffeit of the kyne and gaue it to vtheris, 3e anfuerit, it was to tak thrie hairis of the kowis taill, thrie of hir memberis, and thrie of hir papis, and gang thryfe woderwardis about the kow, and ftraik hir in the left fyd, and caft the hair in the kirne, and fay thryfe, "Cum butter, cum," and fua thei fould haue the haill proffeit of that flock, quhair that kow was: Quhilk 3e practife be the directioun of the diuell, 3e, rank witche, can not deny.

V.
James Ego, present, maid fayth conforme to the dittay.

ITEM, 3e ar indyttit and accufit for the cryme forfaid, in that, about mid fomer, fyve 3eiris fyne, James Ego, fmyth, his wyff haueing tane

ane loik of 3our beir, 3e faid fcho fould repent it, and immediatlie ane meir deit to hir worth xx lib.: And becaus fcho wald not geue 3ou ane foup milk of ane new callowit kow, 3e faid fo fould fcho find it; and prefentlie the kow deit: And in winter laft, ane foill of the faid James, haueing eatten ane fchaue of 3ouris, 3e prayed God nor the foill burft and beall; quhilk fchortlie came to pas, and the foill deit be 3our witchcraft and diuelrie: Quhilk 3e, rank witche, cannot deny.

The pannell denyet. FYLLIS.

ITEM, 3e ar indyttit and accufit for the cryme forfaid, in that, in Maij I^m vj^e and auchten, 3e being cum to Iver Deirnes hous, 3e faid that Hew Peace was ane hauey hand vpoun 3ow, and that he was getting ane quhip for it; and giff he wald not let 3ou alone, he wald get war 3it: And the faid Hew his wyff being informit thairof, he being difeafit of ane byll, 3e cam and tuiched the byll, quhairby he was haill within fourtie aucht houris, quhilk, to his opinion, could not haue bene in ane quarter of ane 3eir, be 3our witchcraft and diuelrie: Quhilk, rank witche, 3e cannot deny.

VI.
Hew Peace, present, maid fayth conforme to the dittay.
The pannell confest scho tuiched the byll. FYLLIS.

ITEM, 3e ar indyttit and accufit for the faid cryme, in that, in November I^m vj^e and tuentie ane, 3e being in Thomas Mure of Quoykankeris hous, 3e came to him in the nyght, he being in his bed, and it being ane great ftorme, and bad him ryfe vp and gang about the fchoir and he fould find fifche; and he being fueir to ryfe, 3e vrgit him, and faid he fould find ane quhaill at the Waft Bankis, quhilk he did find: Quhilk 3e fortald be 3our witchcraft and diuelrie, and, rank witche, cannot deny.

VII.
The nyghtbouris in Sanday buir it to be trew, and Mr Thomas Muster, present, declarit that Thomas Mure suir in their session, and scho said, giff he reveild it he sould repent it, and that he is continwallie seik sensyne. FYLLIS.

ITEM, 3e ar indyttit and accufit for the faid cryme, in that, in harueft thrie 3eiris fyne, William Spens wyff, haueing refuffit 3ou ane fchaue of corne, 3e tuk the proffeit of his cornes from him and gaue it to his brother, James Spens, be 3our witchcraft and diuelrie: Quhilk 3e can not deny.

VIII.
William Spens maid fayth conforme to the dittay. Becaus his brother haid tua mells, and he haid bot four schaves being growing in ane rig. For the corne, ryffis clauso ore.
The pannell denyet.

ITEM, 3e ar indyttit and accufit for the cryme forfaid, in that, in fomer thrie 3eiris fyne or thairby, vpoun our Lady day in harueft, 3e came

IX.
The pannell denyet. FYLLIS.

and foght ane loik of beir fra William Namlandis wyff, and ſcho refuſſing 3ow, 3e caſt feiknes vpoun hir, quha lay almoſt ane half 3eir; and quhen, be the perſuaſioun of his dochter, 3e cam to his hous, and gaue hir ane peice of bannock to eat, ſcho prefentlie grew haill, be 3our witchcraft and diuelrie: Quhilk 3e cannot deny.

X.
The pannell denyet.
Mr Thomas Cok, present, declarit that the said Mareoun, in his presens and John Richartsones, maid fayth that the said Mareoun deponit conforme to the dittay.
FYLLIS.

ITEM, 3e ar indyttit and accuſit for the ſaid cryme, in that, in Maij laſt, Mareoun Paulſone, ſpous to James Fothringhame in Burnes, in Sanday, haueing tane ane luik meall furth of 3our pock, 3e prayed that ſcho fould fuall that eat 3our meall; quhairvpoun the ſaid Mareoun ſwalled, and now is dead, be 3our witchcraft and diuelrie: Quhilk 3e, rank witch, can not deny.

XI.
The minister declarit that John Flet suir the dittay in presens of the Sessioun.
The pannell denyet.
FYLLIS.

ITEM, 3e ar indyttit and accuſit for the cryme forſaid, in that, fyve 3eiris ſyne or thairby, 3e being in Johne Flettis hous, and haueing brocht in ſome of Annie Peace's peatis, and brunt thame, and ſcho finding fault with 3ow, 3e ſaid ſcho fould neuer burne the reſt; and ſua thair roiſe ane great ſtorme that ſame nyght, and the ſea came vp and did waſche all the reſt of the peattis away, be 3our witchcraft and diuelrie: Quhilk 3e, rank witche, can not deny.

XII.
Robert Millar, present, maid fayth conforme to the dittay.
The pannell denyet.
FYLLIS.

ITEM, 3e ar indyttit and accuſit for the ſaid cryme, in that, efter Yule laſt, 3e being in Robert Iſing Millaris hous, in Sanday, and ane laſs of his keiping ane bairne, haueing ane luik thrid in hir hand, 3e foght the ſaid thrid, and the laſs refuſſit, quha prefentlie tuik ſick ane franiſie, that ſcho almoſt cuiſt the bairne thryſe in the fyre, giff ſcho had not bene ſtayed; and that the franiſie continwit quhill 3e gatt the thrid, be 3our witchcraft and diuelrie: Quhilk 3e can not deny.

XIII.
Robert Millar maid fayth conforme to the dittay.
The pannell denyet.
FYLLIS.

ITEM, in that, efter Zule laſt, 3e haueing cum to the ſaid Robertis mylne, and haueing foght ane luik of meall fra thame that was grinding, and lykwayis fra him felff, and 3e being refuſſit, paſſing away murmuring and ſpeaking to 3our ſelff; the ſaid Robert haueing put on the mylne

with the ſame cornes, quhairof thair was ane pairt grund, for all his ſkill he could not mak the mylne to gang that day, be 3our witchcraft and diuelrie: Quhilk 3e can not deny.

XIV. The pannell denyet. FYLLIS.

ITEM, 3e ar indyttit and accuſit for the ſaid cryme, in that 3e being broght out of Ethay, be Stevin Tailzeour in Papa Waſtray, cam to his hous, and efter aucht dayis haueing ſoght ane peice butter fra the ſaid Stevin's wyff, and ſcho refuſſing 3ow, vpoun the morne efter, the kow wald not ſuffer ane to milk hir: And 3e being challangit and delaitit to the kirk, and ſtraitlie ſlighterd with ane tedder the tyme of the ſeſſioun, quhen the ſeſſioun raiſe, 3e was ſtanding at the end of the kirk louſe, nane being to help 3ow; and the ſaid Stevin's wyff thairefter incontinentlie contractit ſeiknes, continwit ſeik quhil 3e came and charmed hir, fald-domeing the woman, laying ane hand to hir head, and ane vther to hir fute corſlingis, ſaying, "Motheris bliſſing to the head, motheris bliſſing to the ſeit, and motheris bliſſing to the heart," in plaine ſcorne; for the wyff continwit ſeik and deit, be 3our witchcraft and diuelrie: Quhilk 3e, rank witche, cannot deny.

XV. Mr Thomas Cok declarit that he sure it in the Sessioun. The pannell denyet. FYLLIS.

ITEM, 3e ar indyttit and accuſit, in that, in Junij laſt, 3e being tane be John Chalmeris, officer, 3e prayed him to let 3ow gang, or elſe 3e ſould rune on the ſea and drowne 3ow; and giff he wald keip 3ow that nyght vndelyght, he ſould ſiſche weill, and his kow ſould milk weill that 3eir: Quhilk, 3e rank witche, 3e cannot deny.

XVI. FYLLIS.

AND GENERALLIE, 3e, the ſaid Annie Tailzeour, ar indyttit and accuſit as ane comoun witche, for airt [and] pairt, vſeing, committing, and practeiſing of the abhominable cryme of Superſtitioun, Witchcraft, and Sorcerie, and in geving 3our ſelff furth to haue ſic craft and knawledge, thairthrow abuſeing the people, and wroning and ſtaying man and beaſt, and ſua reput and haldin ane comoun and notorious witche; and thairfor, aucht and ſould vndergo the knawledge of ane Aſſyſe, and be adiudgit and condemnit to the death, for the cauſſis forſaidis, in example of vtheris to do the lyk; and 3our guidis and gear eſcheit and inbroght to his maieſteis vſe, conforme to the lawis and daylie practique obſeruit in ſic caiſſis.

Curia Justiciariæ, vicecomitatus de Orknay et Zetland, tenta apud Kirkwall in templo S^ti. Magni ibidem, per honorabilem Dominum Joannem Buchannane de Scottiſcraig, Militem, vicecomitem Principalem eiuſdem, et Edwardum Sinclair de Eſſinquoy, eius Deputatum, decimo quinto die menſis Julij 1624.

The quhilk day compeirit Robert Chalmer, procuratour fiſchall, and deſyrit the dittayis to be put to the knawledge of ane Aſſyſe.

The pannell, preſent, could alledge no reaſſonabill caus in the contrair.

ASSISA.

James Fea, fear of Claiſtren.
Jo^n. Richartſone in Overbiſter.
Jo^n. Broun in Bea.
Iver Turbeſone in Brekis.
Ritchard Sandeſone.
Jo^n. Linkletter in Salibiſter.
W^m. Burgar in Holland.
Thomas Scot in Langſkaill.
Walter Thomeſone in Burnes.
Jo^n. Dreuer, Sutherbie.

W^m. Beg in Croſquoy.
Jerohme Fothringhame in Overbiſter.
Jo^n. Symondſone in Kirkwall.
Jo^n. Dreuer in Elwick, and
Stevin Ewinſone in Birſtane.

That the Aſſyſe was receavit and ſuorne, the procuratour fiſchall aſkit inſtrumentis.

The Aſſyſe, paſſing out of judgment, nominate James Fea in chanſeler:

And reentering againe, the haill Aſſyſe, all in ane voice, Fyllis hir in the haill pointis off dittay aboue writtin, ſpeciall and generall, except the firſt pairt of Thomas Logeis dittay anent the cattis; and anent William Spens' dittay anent the corne; quhairanent thay ryf clauſo ore, and remittis ſentens to the judge and dome to the dempſter.

James Fea, Chanſeler.

SENTENCE.

The judge ordanis the pannell to be tane be lockman, hir handis bund behind hir bak, and tane be the lokman to the Lon-head, and wirried at ane ſtaik, and brunt in aſſes: Quhilk Donald Kenner, dempſter, gaue for dome.

EXAMINATION OF THE CHARGES OF WITCHCRAFT AND SORCERY AGAINST MARRIONE RICHART OR LAYLAND BEFORE THE KIRK SESSION OF SANDAY.

THE Dittayis giwen in to our Seſſioun off Sanday, the 17 day of March, I^{m} vi^{c} and threttie and thrie ȝeiris, wpon MARRIONE RICHART [or] LAYLAND, of Wichcraft.

This conference with the deuill, if it be clerey provin, merits death.

THE quhilk day, annent the tryell of JAMES FISCHER, the faid Marrione's oy, that quhair the faid James Fiſcher confeſſit and told, befoir the ſeſſioun, that wpon ane ſax or ſevin ȝeir ſince, that the faid James being keiping Magnus Smyth his ſuyne, and going wpe along ane old houſe callit the Houſe of Howing Greinay, the quhilk old howſe being ſtanding woyd and weaſt, and the wather being cold and ſtormie, the faid James went in to the faid old houſe to flee from ane cold ſchowr; and quhen he cam in to the old houſe, he ſaw the faid Marrioun, his guiddame, ſiting within the fornameit old howſe, accompanied with Cattrein Miller; and deponit, that he did ſie ane blak man ſiting betuixt the faid Catrein and the faid Marrione; and deponit, that the ſaid Catrein cryit fearcelie, Cauſe take him, for he will tell wpon ws. The faid Marrioun anſuerit and ſaid, Let him allone, for he will not be beleiwit. Item, it is deponed be Margrett Smieton, ſpous to James Fell, that that night that ye wer in the ſtockis, Catherine Miller ſaid to Marioun Layland, The pleague of God wpon thy oy, for gif yea had done that quhilk I bad ye, he had nott beine trowbling ws now.

Abusing of the people by charming.

Lykwayis, the ſaid Marrioun Layland did waſch the feit of James Dauidſones cat into his bait water, becaus he could not get no fiſch that 3eir, thinking thairby and ſaying, that the ſaid James in tyme comming wold get more fiſch in reſpect off hir work in waſching off the catis feit into his bait watter; and quhen ſcho had waſchin the cat thairin, did take the water quherin the cat was waſchin, and did caſt it after him quhen he did goe to the ſea.

Lykewayis, the xxiiij day off March, Magnus Smyth deponit, that the boy preſentlie wpone the morning therafter told the ſaid Magnus that he did ſie the dewill, and told him the quhilk faſchioun. Lykwayes, the ſame day Dauid Jock and his wyff tryitt and confeſſit, that wpon fyve or ſax 3eir ſince, that the ſaid Marrioun cam to the ſaid Dauid Jok his houſe, and the ſaid Dauid was going to the ſea, and was making mone that he had not luck to get fiſch that 3eir: The ſaid Marrioun anſuerit and ſaid, that that might be eaſſillie mendit, and callit for the thing that geid about the fyre, quhilk was the cat, and ſaid that ſcho wold waſch the cat his head and feit into the watter quherin the bait was to be keipit, and ſaid that ſcho wold take that watter and caſt itt about him and wpon him, and into his ſea caſchie, and into his bait coubbie, and quhen he cam to the ſea he ſchould get fiſch.

Witchcraft, if it be qualified to be true.

Farther, it is deponit be Margret and Elſpet Sandiſones, that the ſaid Elſpet, vpon fyue or ſax 3eir ſince, contrakit ane deadlie diſeaſe, in ſo farre that ſcho was ſenceles and myndles for ane long ſpeace; the ſaid Marrione cam to the ſaid Elſpetis houſe, and made ane watter, quhilk ſcho callis ane remeddie for forſpeaking; the ſaid Marrioun tuik watter into ane round coupe, and went out into the byre, and tuik ſumthing out off hir purſſe, lyke wnto great ſalt, and did put it into the watter, and did ſpit thrie ſeverall tymes into the watter; and ſcho confeſit hir ſelff quhen ſcho had done ſo, ſcho aundit in bitt, quhilk is ane Nourne terme, and to exponit into right languag, is alſe mikill as, ſcho did blew hir breath thairin, and ſent it in to the woman, with the ſervant woman off the

houſe, and directit that the woman ſhould be wafchin hand and face thairin, and ſcho ſhould be reſtorit to hir health againe. This the ſaid Marrioun confeſit befoir the ſeſſioun; and it is grantit be the woman that the watter was made wnto, that the ſaid Marrioun ſaid wnto the lafs, that iff ewer the lafs reueillit it againe ſcho ſhould neuer thryue, and ſo ſchune after that the lafs reueillit the wordis, ſcho deit.

Abusing of the people.

Quhilk day it is confeſit be Robert Drewer and his wyff, that threttein 3eir ſince, the ſaid Marrioun and Robert Drewer was duelling both at ane houſe and ane biging; that thair was ane powr woman that was trauelling of chyld in the ſaid Marriones houſe, and deſyrit ane ſoupe off milk from the ſaid Marrioun, quhilk in no wayis the ſaid Marrioun wold grant, the powre woman ſent in to the ſaid Robertis houſe, and got ane ſoup off milk from his wyff, and immediatlie thairafter the ſaid Robert his wyff loſſit hir proffit of hir haill milk; quhairfor the ſaid Robert Dreweris wyff cam in to the ſaid Marrioun Layland, and did lament for her profeit that ſcho wantit. The ſaid Marrioun anſuerit the woman and ſaid, Goe thy way to the ſea, and tell nyne beares off the ſea come in, that is to ſay, nyne waues off the watter, and let ane off the nyne goe back againe; and the nixt thairafter take thrie luiffullis off that watter, and put within thy ſtowpe, and quhen thow comes heame put it within thy kirne, and thow will get thy profeit agane.

The laſt day off March.

Compeirit Helin Hamiltoun, ſpouſe to James Keith, and deponit, that ſcho and hir haill fammillie was ſtraitit with drouth for the ſpace off xx dayis ore ane mounth, that no drink could quench thar dreuth; quhairfor the ſaid Helin and her huſband alledgit the ſaid Marrioun for the great thrift that thay had. Wpon ane Sunday the ſaid Marrioun cam to the ſaid Helins houſe, and had ane muchkin off ſmall-aill with hir into ane chapping can, and offerit it to the ſaid Heline and hir famillie to drink; and the ſaid Helin refuſit to drink it, bot the ſaid Marrion wrgit it more and more vpon hir, and ſaid that ſcho had ane ſonſie hand, and

hir mother befoir hir day, and made euerie ane off them to drink thairoff; and immediatlie thairafter thair thrift was eafit, and the heauie wycht that was wpon them was eafit during the time of thair thrift and dreuth.

The famen day, Williame Fothringhame, benorth, deponit be him, that the faid Marrioun cam to his houfe to get almis, and his wyff not being at leafur to giwe hir almis, fcho went to the dore, and did fay, going to the dore, that fcho fhould loffe alfe mikill fchortlie; and aucht dayis after that his beft cow deit.

Quhilk day, deletit be Margret Thomfone, fpoufe to James Rolofay, to James Cok in Lopnes, Nicoll King, and Magnus Skea, quhilk are thrie elderis off our feffioun, that the faid Marrioun cam to Stronfay, to the faid Margretis houfe, and the faid Margret had nyne ky quhilk was not riddin; and fcho faid to hir, Giwe me almis, and befoir this day fyftein dayis ilk kow in 3our aucht fall be riddin; quhilk almis fcho gaue hir, and befoir that day aught dayis, ilk kow that fcho had was riddin. Abusing of the people.

The 7 day off Appryll 1633.

Quhilk day, annent the dittayis of Wichcraft giwen in to the feffioun, when Catrein Miller compeirit, Hew Peace, and Wrfalay Fea, his fpoufe, and deponit, that wpon ane fax 3eir fince, that the faid Vrfalay wantit the profeit off hir milk, and the faid Wrfalay fent hir fervant woman and milkit the faid Cattrein Milleris kow, and did put it into her kirne; and immediatlie quhen fcho kirnit the milk, fcho got ix markis butter, quhair befoir, off alfe mikill milk, alfe mony dayis milk, alfe mony mealtitis off milk, during the time that fcho wantit hir profit, did not get bot tua markis butter; and quhen fcho had the beft, fcho got not bot tua markis butter ay and quhill that fcho got the milk off hir cow; and four and xx houris after, the faid Wrfalay contrakit ane deadlie difeafe, quhilk contenuit for the fpace of fax weikis; and at the end off the fax weikis, the faid Marrione cam to the faid Wrfalay, and defyrit ane drink off milk from the kirne, and faid iff fcho got it fcho Abusing of the people.

ſhould get hir health, and ſcho gaue hir ane drink off milk, and ſcho was preſentlie better off hir diſeaſe, and loſit the profit off hir milk, and wantis it as 3itt.

Abuse. FARTHER deponit, be Margaret Orrok, laughfull daughter to William Orrock, that the ſaid William had ane horſe quhilk was ſeik; the ſaid Catrein bad the ſaid Margret get thrie fundrie fortis off fillneris, and put them within ane ſiwe, and ſift them ouer the bak of the horſe quhilk was ſeik, and he wold be haill.

The 14 day off Appryll 1633.

DEPONIT be Barbaray Sinclair, ſpouſe to the ſaid William Orrock, that ſcho had ane kow that was ſtanding haill in to the byre, and the ſaid Catrein cam in to the ſaid Barbarayis houſe to puik ſum bair, and preſentlie the kow fell ſeik; quhen ſcho geid away with the corne that ſcho was knoking, and that word did rys that the cow was ſeik, the ſaid Catrein cam to the houſe; and quhen ſcho cam in and ſau the cow, ſcho was reſtorit to health agane, and did eat hir meat weill enugh.

The 19 day of Appryll.

DEPONIT be Margret Browne, ſpouſe to William Flet, that quhair the ſaid Margret diſcordit with Catreine Miller, the ſaid Margret contrakit ane deadlie diſeas; and ſcho ſaid to the ſaid Margret, "evill might thow put the 3eir aff the;" thairafter ſcho contrakit ane fenſlefnes, quhilk continuit for the ſpace of ane halff 3eir; and at the halff 3eiris end, the ſaid Margret cam to hir, and the ſaid Catrein tuik her by the hand, and immediatlie got hir health, and ay ſince was weill.

THE ſamen day compeirit Catrein Sowents, and deponit befoir the feſſioune, that the ſaid Catrine Miller wrongit hir, in reſpect that ſcho faund fault with hir, becaus ſcho did take keall out off hir maiſteris 3aird, and hir daughter did tak keall out off the 3aird, and

did goe heome to Catrine Milleris houſe with the keall, and told hir mother that the ſaid Kaitrine Souanes fand fault with hir for takeing away of the keall; the ſaid Catrine Miller ſent hir daughter bak to the houſe with the keall, and did caſt the keall wpon the ſaid Catrine Sowenes breiſt, being nurifch to John Browne in the tyme, and preſentlie ſcho loſit hir milk for the ſpeace of xiiij dayis; and at the iffchow off the xiiij dayis, the ſaid Catrine Miller cam to the houſe quhair the nurifch was, and told the guiduyff off the houſe that ſcho had dreamit, that iff ſcho wold giwe hir daughter almis, the nurifch ſhowld get hir milk againe; and quhen ſcho got almis, ſcho got her milk againe alſe weill as it was befoir.

The ſamen day compeirit Dauid Peace, and deponit, that the ſaid Catrine Miller had ane ſone keiping his ky, and becaus that he did put away the boy from the ky, ſcho ſaid that he ſhould rew it, and immediatlie ane off the ky dieit, and ſchort after, the reſt dieit alſo.

The 21 day off Appryll.

Deponit be James Fea, bailzie, that the ſaid Catrine Miller had ane ſone keiping Johne Broune his ky and guidis, and the boy was put from the guidis; and ſcho did curſe and pray ewill for the guidis, and therafter the moſt pairt of them dieit, and the reſt that liewit did neuer guid, nor 3it 3ield milk, ſince the boy ged from them. Farther, it is deponit be Wrſalay Fea, that the ſaid Catrein Miller cam into Hew Peace hir huſbandis houſe, and did pray ewill for Jon Brounes guidis, and ſaid, "God, let his guidis newer thryue better nor hir ſone did."

Quhilk day, deponit be Jennet Fothringham, ſpouſe to John Peace, yownger, that quhair the ſaid Jennet was angrie with hir for comming ſo earlie ilk moirning to hir guidmotheris houſe befoir the ſone ryſeing, preſentlie the ſaid Jennet falis in to ane extraordinarie diſeas, ſo that ſcho might not goe out off hir gudmotheris houſe in to hir awin houſe, quhilk was both cloſſe togidder, bot did creip wpon handis and feit quhill ſcho

cam to hir bed; and the ſaid Catrine cam in to hir and did lay hir hand wpon hir head, and did cauſe giue hir ane ſowpe off milk, and ſcho grew alſe weill and in alſe guid heal!th as ewer ſcho was befoir; and all this was dune within the ſpeace of tua houris.

Farther deponit be Williame Roy, elder, that the ſaid Williame diſcordit with hir, and ſcho did ſtrik him wpon the back, betuix the ſhoulderis, with hir hand, and preſentlie the power off his body was takin away, in ſo farre that he could not no duetie off ane man touardis his wyff, quhair tua nightis befoir he was alſe apt and abill for his wyff as ewer he wes befoir; and neuer ſince the diſcord was weill as he ſhould be.

TRIAL OF MARION RICHART, *alias* LAYLAND, FOR WITCHCRAFT, SORCERY, AND DIVINATION.

Intrat vpon pannell, Marion Richart, *alias* Layland, for the pointis of Witchcraft, Sorcerie, and Divination, and vtheris vndirwrittin.

In the firſt, ye, the ſaid Marion, ar indyted and accuiſed for contravening of the tenour of the act of parliament, maid be our vmquhile dread ſoveraine Lady, Mary, be the grace of God, Quein of Scotland, with the advyſe of hir thrie eſtaites, in hir nynth parliament: That quhair they being informit of the hevie and abominable ſuperſtition vſed be diverſe of the leidges of this realme, be vſing of witchcraftis, forceries, and negromancie, and credence givin thairto, in tymes bygane, againes the law of God; and for avoiding and away putting of all ſic ſuperſtition in tyme cuming, it wes ſtatute and ordainit be the Queines Majeſtie, and Thrie Eſtaites forſaid, that na perſone nor perſones, of quhatſumever eſtait, degrie, or condition they be of, tak vpon hand, in any tymes thairafter, to vſe any maner of witchcraftis, forcerie, or negromancie, or give themſelves furth to have any ſic craft or knowledge thairof, thairthrow abuſand the people, vnder the paine of death: And trew it is, that ye, the ſaid Marion, have contraveined the tenour of the ſaid act, be vſing and practiſing of witchcraftis, forceries, and divinationes, and in giving of your ſelff furth to have ſic craft and knowledge, in keiping companie and ſociety with the devill, and thairthrow abuſand the people, at dyverſe and ſundrie tymes and places, in maner following: And therfoir, and for airt and pairt of the ſaid abominable ſuperſtition vſed and practiſed be yow, aught and ſould be adjudged to the death: And in ſpeciall, ye, the ſaid Marion, ar indyted and accuſed for airt and pairt of the ſaid abominable ſuperſtition, for that ſex or ſevin yeires ſince, James Fiſcher, your oy, being keiping Manſe Smythis ſwyne, went vp into ane auld hous, called the Houſe of Howing Greinay, to ſaife himſelfe from a cold ſhowir that wes

raining, and quhen he cam in to the faide old hous, he faw yow and Kathereine Miller fitting thair, and the devill in lyknes of a blackman, fitting betwixt yow, and the faid Katherine cryed fearclie, Tak him, for he will tell vpon vs; bot ye wold not fuffer, and faid, Let him alane, for na body will beleive him; and vpon the morning thairafter, the faid James, your oy, told Manfe Smyth, his mafter, that he had feine yow, and Katharine Miller, and the devill, together in the old hous; and lykwayes that night, while ye and the faid Katherine wer in the ftockis, befor your now cuming to the toun, the faid Katherine faid vnto yow, Yea plaige of God vpon thy oy, for if thow had done to him that quhilk I bade thee, he had not bein troubling us now; quhilks pointis will be fufficiently provin, and therfor, rank wich, cannot now deny.

Secondly, ye, the faid Marion, ar indyted and accuifed for airt and pairt of the faid abominable fuperftition, in that, fyve or fix yeires fince, Elfpeth Sandefone contractit ane hevie difeafe, in fo much that fho wes quhyt bereft of all hir fences for ane long fpace; ye coming to the faid Elfpethis hous, made ane water, quhilk ye call ane remedie for fpeaking, and tooke water into ane round cupe, and went out into the byre, and took fumthing out of your purfe lyk vnto great falt, and did caft thairin, and did fpitt thrie feverall tymes in the fame; and ye confeft yourfelfe, when ye had fo done, ye aundit in bitt (quhilk is ane Norne tearme), that is to fay, ye blew your breath thairin, and thairafter ye fent it to the faid Elfpeth with the fervand woman of the houfe, and bad that the faid Elfpeth fould be wafchin thairin hand and feite, and fho fould be as heall as ever fho wes; as alfo, ye faid to the fervent woman that ye fend with the water, that if fcho told it agane, fcho fhould never thryve; and fo foone after as fcho reveilit it fcho died; quhilk death was wrought be your deid, and quhilk alfo ye confeft befoir the feffion at Sanday, and therfor, rank wich, cannot now deny.

Thridly, ye, the faid Marion, ar indyted and accuifed for airt and part of the faid abominable fuperftition, in that ther wes a poore wyfe with yow, who wes trauelling of cheild in your hous, and defyred a fope

milk with yow, quhilk ye onnawayes wold give; therfoir the faid poor woman fent to Robert Dreveris hous (quhilk wes in that fame bigging), to get a fope milk, quhilk the faid Robertis wyfe fent vnto hir; and immediatlie thairafter, the faid Robertis wyfe loft the profeit of her wholl milk, quherfor fhe cam into yow, and did lament for hir profeit that fho wantit; ye anfwerit and faid, Go thy way to the fea, and tell nyne boares of the fea cum in, that is to fay, nyne waues of the fea, and let the hindmoft of the nyne go back againe; and the nixt thairafter, tak thrie looffullis of the water and put within thy ftoupe, and quhen thow comes home, put it within thy kirne, and thou wilt get thy profeit agane: Quhilk ye, rank wich, cannot alfo deny.

Fourthlie, ye ar indyted and accuifed for airt and part of the faid abominable fuperftition, in that Helen Hamiltoun, fpous to James Keith, and all hir houfhold, being ftrated with dreuth for the fpace of tuentie dayes, or ane moneth, that no drink could quench the fame, and the faid Helene and hir hufband alledging yow for the great drewth that they had, vpon ane Sunday ye cam to the faid Heleines hous, and fetchit with yow ane mutchkin of fmall aill in ane chopping can, and offerit it to the faid Heleine and hir familie to drink, bot the faid Helein refufit to drink it; but ye vrgit it more and moir vpon hir, and faide, I have ane fonfay hand, and my mother befoir my day, and made everie on of them to drink thairof; and immediatly, befoir the nixt Sonday, thair thrift wes eifit, and the heavy weicht that wes vpon them the tyme of thair great thrift and dreuth wes takin away: Quhilk ye, rank wich, cannot alfo deny.

Fyfthly, ye, the faid Marion, ar indyted and accuifed for airt and part of the faid abominable fuperftition, in that ye cam to William Fothringhame his hous, benorth to get almis, and his wyf not being at leafure to give yow alms, ye went to the dure, and fayde as ye went, that fchoe fhould lofe als meikle fchortly; and aught dayes efter that, his beft kow died, quhilk wes done be your deid: Quhilk ye, rank wich, cannot alfo deny.

Sixtly, ye, the ſaid Marion, ar indytit and accuiſed for airt and part of the ſaid abominable ſuperſtition, in that ye cam to Stronſay, to Margrat Thomeſones hous, and the ſaid Margrat had nyne ky quhilk wes not ridin, and ye ſaid vnto hir, Give me almes, and befoir this day aucht dayes, ilk kow on your aught ſall be riddin; quhilk almis ye refavit from the ſaid Margrat; and befoir that day aught dayes, ilk kow that ſhe had wes riddin, quhilk fell out even according as ye ſpack: Quhilk ye, rank witch, cannot alſo deny.

Sevinthlie, ye, the ſaid Marion, ar indyted and accuiſed for airt and part of the ſaid abominable ſuperſtition, in that ye did waſch the feit of James Davidſones kat into his bait water, becaus he could get no fiſch that 3eir, ſaying, that the ſaid James, in tyme cuming, wold get moir fiſch in reſpect of your work in waſching of the cates feit in his bait water; and quhen ye had waſchin the cat thairin, ye did tak the water wherin the cat was waſchin, and did caſt it out efter him quhen he did go to the ſea: Quhilk point ye, rank wich, cannot allſo deny.

Eightly, ye, the ſaid Marion, ar indyted and accuiſed for airt and part of the ſaid abominable ſuperſtition, in that, about fyve or ſix 3eires ſince, ye cam to David Jokis hous, who wes going to the ſea, and wes making moane that he had gottin no fiſch that 3eir; ye anſuerit and ſayde, That micht be eaſily mendit; and called for the thing that geid about the fyre, quhilk wes the cate, and ſaid that ye wold waſch the catis heid and feit into the water quhairin the bait wes to be keiped, and ſaid that ye wald tak that water and caſt it about him, and vpon him, and into his ſea caſchie, and into his bait coubie, and quhen he cam to the ſea he ſould get fiſch enoch: Quhilk ye, rank witch, cannot deny.

And generallie, ye ar indyted for airt and pairt of vſing and practiſing of Witchcraftis, Sorceries, Divinationes, and Charmis, as is particularlie aboue writtin, and giving your ſelfe furth to haue ſic craft and knowledge, thairby abuſing the people: And that by your curſingis and imprecationes, ye wrong and hurt man and beiſt; quhilk evill is brocht to pas

be the power and working of the devill your maſter, and therfoir aught and ſhould vnderly the law, and be adiudged to the death thairfoir, and in example of vtheris to do the lyk.

Attour, ye ar indyted and accuiſed for airt and part of the ſaid abominable ſuperſtition, in that ye cam to Stronſay about tua or three yeires ſince, in ſimer, and aſking almis fra Andro Couper, ſkipper of ane bark, he ſaid to yow, Away wich, earling, devill, a farthing ye noll fa; quhairvpoun ye departed very offendit, and incontinently he going to ſie, the bark being vnder ſaill, he ran mad, and wold have luppin over burd, an his ſone ſeing him, gat him in his armes, and held; quhervpon the ſeiknes imediatly left him, and his ſone ran mad; and Thomas Paterſone ſeing him tak the madnes, and the father to turne weill, ane dog being in the bark, took the dogg and bledded him vpon the ſone his ſhoulders, and therafter keiſt the ſaid dog mad, quhairby theſe in the bark wer faifed; quhilk being done, all the doggers at the ſch[ore], ...* landlyeris for feir gaue yow abundantly; quhilk all wes done be your witchcraft and [divelrie]: Quhilk ye cannot deny.

Curia Justiciariæ et Vicecomitatus de Orkney, tenta apud [Kirkwall] in Templo Sancti Magni in lie Walhous ibidem, per Edwardum [Sinclair] de Eſſinquoy et Magiſtrum Henricum Aitkin, Juſticiarios et [Vicecomites deputatos] ciuſdem, vigeſimo nono die menſis Maij, anno Domini milleſimo fexcenteſimo trigeſimo tertio.

Curia legitime affirmata.

Compeirit the procuratour phiſcall, and producit the dittayis, and deſyrit the pa[nnell] be accuſit thairvpoun, and be put to the tryell of ane Aſſyſe. Pannell . . . denyit the firſt verefeit, confeſſis the ſecond anent the watter, and that ſcho chair[med it], . . . the thrid; con-

* Torn in MS.

feſſis ſho gaue the drink; denyis the fyft; confeſſis the ſixt, ſevint, and viij and nynt.

The pannell hes nothing to allege quhairfoir ſhe ſould not pas to the [knowledge of ane] Aſſyſe, and the procuratour phiſcall aſkit actis.

ASSISA.

Ro^{t}. Linkletter in Garſetter.	Jo^{n}. Curſetter in Weyland.
Thomas Seatter in Seatter.	Tho^{as}. Scot in Langſkaill.
Oliver Linkletter in Marwik.	Tho^{as}. Scot in Sandbak.
William Spens in Work.	Tho^{as}. Sclaitter in Bur^{t}.
W^{m}. Johnſtoun in Holland.	Ja^{s}. Sclaitter in Houſſe.

W^{m}. Bingar in Holland.
Oliver Sclaitter in Scorn. . . .
Richard Fothringhame in . . . .
Jerome Chalmer, ſkip[per.]
W^{m}. Craigie of . . . . .

Vpoun ſwearing of the inqueſt, the procuratour phiſcall aſkit actis.

The haill Aſſyſe, all in ane voice, be the mouth of the chancellar, Fyllis the pannell in the firſt; the ſecund, anent the watter and chairme; in the thrid, the ſext, the aught, and nynt: And clengis hir of the fourt, fyft, and ſevint pointis: And referris ſentence to the judge, and dome to the dempſtar.

Jerome Challmer.

The Judgis acceptis the determinatioun of the Aſſyſe, and referris ſentence to the morne.

Penultimo Maij, 1633.

SENTENCE.

The Judgis ordanis the pannell to be caryit be the lockman to the Gallows-hill, wirryit to the death, and brunt to afches.*

* On the back of the dittay the following memoranda occur:—

"Gevin vp be Marion Leyland, Cristiane Dauidsone, spous to William Harper, that took girss and baik a bannok, and gave to the goodman of Papa his grieve, quha diet; and the dog that got the bannok diet. The bannok wes for keiping thair profite.

"Elen Forster, spous to James Burgar, can mend baith the heartcake and beanschaw, and put down horss to the goodman of Langskaill.

"Magnus Smyth neides the cake."

TRIAL OF KATHERINE CRAGIE, *alias* ESTQUOY, FOR WITCHCRAFT, SORCERY, AND SUPERSTITION.

Intrat vpon Pannall Katherein Cragie, *alias* Estquoy, for the poyntis of Witchcraft, Sorcerie, and Superſtitioun, vnderwrittin, viz.

Ye, the ſaid Katherein, ar indyted and accuſit, for airt and pairt of contravening the tenour of the act of parliament made be our vmquhile dreid ſoveragne Leydie Marye, be the grace of God, Quein of Scotland, with advyſe of her thrie eſtaittis, in her nynt parliament: That quhar they being informit of the heavie and abhominable ſuperſtitioun vſit be diverſe of the leidges of this realme, be vſing of Witchcraftis, Sorceries, and Necromancie, gevin tharto in tymes bygane, againſt the law of God, and for avoyding and away-putting of all ſick ſuperſtitioun in tyme cumming, it was ſtatute and ordanit be the quenis majeſtie and thrie eſtaitis forſaid, that na perſon or perſons, quhatſumeuer eſtate, degrie, or conditioun they be of, tak vpon hand, in any tymes thairefter, to vſe in any maner of witchcraftis, ſuperſtitiounes, ſorceries, or divinatiouns, or geve thame ſelffis furth to any ſick craft or knowledge, thairthrow abuſand the people, vnder the paine of death: And trow it is, that [ye] the ſaid Katherein hes contravenit the tenour of the ſaid act of parliament, be vſing and practiſing of Witchcraftis, Sorceries, and Divinatiouns, and in gevin your ſel furth to haue ſick craft and knowledge, and in companie and ſocietie with the devill, and thairthrow abuſand the people, at diverſe and ſindrie places

and tymes, in maner following: And thairfoir, and for airt and pairt of ſaid abhominable ſuperſtitioun, vſit and practiſit be 3ow, aucht and ſould be adjudgit to the death, in example of vtheris to do the lyk.

And in ſpeciall, 3e ar indyted and accuſit for airt and pairt of the abhominable ſuperſtitioun and witchcraft committit be 3ow, in comeing to Jonet Cragie, ſpouſe to Robert Robſone, *alias* Coſtas, hir hous, the ſaid Robert Robſone being deadlie ſeik, and non that evir cam to viſit him expected that he could recover from that ſickneſſe; 3e cam to hir hous befor daylight, and ſpak to him (who at that time knew nothing that wes done or ſpoken beſyd him for heauie ſickneſſe) on this maner: What now, Robbie, ar 3e going to die? I grant that I prayed ill for 3ou, and now I ſie that prayer hath taken effect: And leiving of farder ſpeaking to him, 3e ſaid to the ſaid Jonet Cragie on this maner: Jonet, if I durſt truſt in 3ou, I ſould know quhat lyeth on 3our guidman, and holdis him doun at the grund: I ſuld tell whether it wer ane hill-ſpirit, a kirk-ſpirit, or a water-ſpirit, that ſo troubles him. The ſaid Jonet Cragie anſuerit 3ow again, ſchoe ſould nevir reveall any thing vpon 3ow, if 3e helped hir guidman. Whairvpon 3e replyed to hir, Well, or the morne at evin I ſall witte whether it be a hill-ſpirit, a kirk-ſpirit, or a water-ſpirit, that troubles him. The nixt morne thaireſter, [3e] the ſaid Katharein cum to the ſaid Jonet's houſe befor day, and brocht with 3ow thrie ſtones, which 3e put on the fyre, wher they continowed all the day till eftir ſone ſette; and than 3e took thame out of the fyre, laying thame vnder the threſhold of the doore, where they continowed all night till vpon the morow timeous befor ſun ryſing, 3e took thame vp frome vnder the ſaid doore threſhold, and taking a veſſell filled with water, 3e put the ſtones thairin ſeverallie, on after another; of which ſtones, being thus put into the ſaid water be 3ow, the ſaid Jonet Cragie hard on of thame chirme and churle into the water, wharvpon 3e ſaid to the ſaid Jonet on this maner: Jonet, it is a kirk-ſpirit which troubleth Robbie 3our huſband. Thairefter 3e gave the veſſel with the water to the ſaid Jonet, wharinto 3e haid put the thrie ſtones, and directed her to waſch hir huſband thairwith.

Denyis.

Denyis.

Item, for putting of vther thrie ſtones into the fyre, quhair they continowed all the day alfo, till funfette, at which tyme ȝe did tak thame out, and layed thame again vnder the threſhold of the dure, quhar thay continowed all that night, till vpon the morne tymeouſlie, befor fun ryſing, ȝe, the ſaid Katherein, did again tak vp the ſaid thrie ſtones from vnder the ſaid doore threſhold, and did tak a veſhell, as ȝe did the day before, filled with water, wherin again ȝe put the thrie ſtones feverallie, on after another, of which forſaid ſtones being thus put in the water be ȝou, the ſaid Jonet hard thame again, the ſecund tyme, chirme and churle into the water; and thairefter gave hir the ſaid veſſell with the water, and cauſit hir waſch hir huſband with it a ſecund tyme: Quhilk devilrie ȝe can not deny.

Denyis.

Item, ȝe ar indyted and accuſit for the witchecraft and deivilrie committit be ȝow the thrid tyme, in takin the ſtones and putting thame in the fyre, till fun ſetting, and then putting thame vnder the threſhold of the doore all that night, and in the veſſell with the water vpon the morning therafter, as was done before, and one of the ſtones chirmed and churled in the water, as twyce before it had done, but wold not geve the ſaid Jonet the veſſell with the water to waſch hir huſband, as ſcho haid done befor at ȝour direction, but ȝe did waſch him with the water ȝour ſelf: And quhilk deivilrie and witchcraft ȝe can not deny.

Denyis.

Item, ȝe ar indyted and accuſit for the devilrie committit be ȝow in comeing to the ſaid Janet Cragie's hous, ȝe hearing tell that ſcho had revealled theſe proceidingis of ȝours vſit vpon the ſaid Robert Robbefone hir huſband; ſcho not being at home, and miſſing her, ȝe ſaid to on of hir children on this maner (as the child reported, and as it fell out accordinglie), Thy mother hes bein tailing tealls of me, but I ſall put a buckie in her ſcheek for that, that all hir kinne ſall never get out: So it cam to paſſe that thair grew a great byle vpon the ſaid Jonet's left cheek, which diſſigured her face, by drawing her mouth vp to hir right eare, as is manifaſt: Wharvpon the ſaid Jonet, finding hir ſelf thus tormented, ſcho ſent

for 3ow, and reproved 3ow, and faid to 3ow that 3e had witched hir; 3e anfuered hir again, that it was but the Trow that haid gripped her; and vpon the nixt day thairefter, 3e cam to the faid Jonetis hous befor day, and brought with 3ow the Trowis gloue, and folded the fame about the faid Jonet's craige three feverall tymes, and vpon the thrid day the byle brak; but, as all people may fie, the faid Jonet's mouth is not as it was wont to be: And quhilk devilrie 3e can not deny.

Denyis.

Item, 3e ar indyted and accufit for contravening the tenour of the faid act of parliament, for airt and pairt of that abhominable Superftitioun, in comeing to James Traill in , he being labouring his land, with a veffell full of water in 3our hand, which 3e offered him, defyring him to reffave it from 3ow, and to caft the fame water amongft his bear-feed, promifing to him, if he wold doe that according to 3our direction, he fould thairby get a good crope of cornes: And quhilk fuperftitioun and devilrie 3e can not deny.

Denyis.

Item, 3e ar indyted and accufit for airt and pairt of that abhominabill Superftitioun, for comeing to Iffobell Cragie, relict of umquhile George Traill of Wefneffe; he and the faid Iffobell being privatlie together, and non with 3ou in the hous of Wefneffe, 3e fpak to the faid Iffobell, faying, Tell me if 3e haue a mynd to haue Harie Bellendeyne to be 3our hufband, and, if 3ow pleafe, I will geve 3ow a graffe which, being vfit at my direction, it will caus Harie Bellenden never to haue ane other woman but 3our felf: Quhilk 3e can not deny.

Confest the causing hir to goe about the logh with hir.

Item, 3e ar indyted and accufit for airt and pairt of the Superftitioun, in going to Jonet Sclaitter's hous, William Flais, in Crage, her hufband, being lying feik, and faid to her, Jonet, if 3e wold haue 3our hufband reffave fome littill heillth (for he will never recover of that feknes quhilk he is lying in), 3e fall go with me about the Croffe Kirk of Wefbufter, and the Loche of Wefbufter, befor fun rying, and defyrit hir to keip filence and not to fpeak a word: Quhilk wes done be 3our devilrie, and quhilk 3e can not deny.

And generallie, 3e, the ſaid Katharein, ar indyted and accuſit for contravening the tenour of the ſaid act of parliament, and for airt and pairt of the vſing and practiſing of the Witchcraftis, Sorceries, and Superſtitioun aboue ſpecifeit, and geving 3our ſelf to haue ſick craft and knowledge, expreſſlie againſt the tenour of the ſaid act of parliament, thairby abuſing the people; and that, by 3our curſingis and ſuperſtitions, 3e wrong and hurt men and beaſtis; and quhilkis evillis is broght to pas be 3our deivilrie, and working of the devill 3our maſter: And, thairfoir, aught and ſould vnderly the law, and be adjudgit to the death thairfor, in example of vtheris to do the lyk.

Curia Vicecomitatus de Orkney tenta apud Kirkwall in templo Sancti Magni ibidem, per honorabiles viros Thomam Buchanan et Magiſtrum Henricum Aitken, vicecomites deputatos, die decimo ſexto Junij 1640, et affirmata.

Compeirit the pannell aboue nominat, and denyit the haill poyntis of dittay aboue writtin, both particular and generall, except hir going about the logh; and could ſay nothing why ſcho ſould not paſs to the tryell of ane aſſyſe.

assisa.

James Hamiltoun in Bigland.
John Craigie in Scrandell.
James Alexander in Bankis.
Rolland Ingiſgar in Ingiſgar.
Henrie Ingiſgar thair.
Edward Corſe in Weſbuſter.
George Alexander in Quendall.
Niniane Folſetter thair.
Gilbert Reid in Clouk.
John Pavie in Bankis.
John Winwill in Kirkwall.
Thomas Moncreeff, indweller thair.
John Linkletter, indweller thair.
Patrik Smyth, indweller thair.
John Syme, indweller thair.

Vpoun the admiſſioun and ſweiring of the Aſſyſe, the procuratour phiſcall aſkit actis, and for ane aſſyſe of errour.

VERDICT.

The Aſſyſe paſſing out of judgment, for the maiſt pairt elected John Linkletter in chancellar; and reentering, all in ane voice Clengis the pannell of the haill poyntis alfeweill generall as particular, viz. the 1, 2, 3, 4, 5, and ſext poyntis; and Fyllis hir in the ſevint anent the wattering the land, in ſo far as it is provin that ſcho ſaid it ſould not war James Traill; in the aught, anent Iſſobell Craiges marying of Harie Bellenden, as alſo of the nynt, anent the going about the logh; and remittis ſentence to the judge, and dome to the dempſtar.

J. LINKLETER.

The Judge acceptis the determinatioun of the aſſyſe, and continewis ſentence to the morne.

xvij. Junij 1640.

The Judge ABSOLVIS the pannell.

SECOND TRIAL OF KATHERINE CRAGIE.

Warrant for ſummoning Witneſſes.

Sir William Dick of Braid, knyght, juſtice and ſhireff principall of Orkney and Zetland, to my lovittis officeris and ſerjendis in that pairt, conjunctlie and ſeuerallie, ſpeciallie conſtitut, greiting: I chairge yow, that ye lawfullie ſummound, warne, and chairge Thomas Corſe in ..... and Margaret Craigie, his ſpous, Jonet Sklatter, ſpous to William Traill, Thomas Irwing, younger, Katherin Windwik, ſpous to Gilbert Mowat, Margaret Irwing, ſumtyme ſervant to Jonet Sklatter, Magnus Harcas in ..... Elſpeth Smyth, ſpous to James Caithnes, Jonet Ingſger, ſpous to Magnus Craigie in Skaebrack, Katherine Barnie, and Katherin Ethay, ſpous to John Work, in Egilſcha; thir witneſſis, with ſevin or aught honeſt men to pas vpoun hir aſſyſe, Patrik Halcro in Weyr, Henrie Harrald thair, Thomas Sabiſtoun thair, James Alexander in Bankis, Henrie Ingſger in Weſbuſter, Henrie Ingſger, Barbara Harcas.

To compeir befoir me or my deputis, ane or mae, at Kirkwall, the ellevint day of Julij in the hour of caus, to bear leill and ſuthefaſt witneſſing, in ſa far as they knowe or ſall be ſpeirit at thame, for proving the poyntis of dittay of Witchcraft, Sorcerie, and Divinatioun perſewit at the inſtance of Abraham Stevinſone, procuratour phiſcall of the faid ſhiredome, againes Katherine Craigie, *alias* Estaquoy, and to pas vpoun hir aſſyſe, ilk perſoun vndir the paine of xl lib. According to juſtice, as ye

will anfwer, &c. Gevin vndir the feall of office, and fubfcrivit be my clerk of court, at Kirkwall, the fevint day of Julij 1643.

A. Elleis.

xij. July 1643.

In prefens of Mr George Graham, David Hert, Simbifter, and the Chamberlane.

Katherine Craigie deponit, that Margaret Ranie, *alias* Todlock, heille a kow of John Bellis in Quoyfkowis of the banefchaw.

And that Criftane Poock, lait fervitour to Henrie Ingifgar in Papa, and now with Kowie Ingfgar, can charme the worme and the fauld-feiknes; and that fcho vfit the faid fauld-feiknes to ane ox in Havafkaill, and that fcho got for doing thairof a pleat of meill and a blood-pudding vpoun the heid of the pleat.

Scho confeft the going to the watter, and cafting the watter ouer Thomas Irwingis heid.

And that fcho learned the charme fra vmquhile Elfpeth Linay be the vfing of the ftones.

And that fcho learned a charme for ftemming of blood fra hir vmquhile hufband.

Intrat vpoun Pannell Katherine Craigie, *alias* Estaquoy, for the abhominable Superftitioun vfeing and practeifing of the Witchcraftis vnderwrittin, viz.

Ye the faid Katherine Craigie, *alias* Eftaquoy, ar indytit and accufit for airt and pairt of the abhominable Superftitioun of the contraveining of the tennour of the act of parliament maid be our vmquhile dread fovirane ladie Marie, be the grace of God Queene of Scotis, with the adwyfe of hir thrie eftates, in hir nynth parliament: That, quhair they being informit of the heavie and abhominable Superftitioun vfit be dyverfe of the liedgis of this realme, be vfeing of Witchcraft, Sorcerie, and Necromancie, and credence gevin thairto in tymes bygane, againeft the law of

God; and for awoyding and awayputting of all ſik Superſtitioun in tyme cumming, it was ſtatut and ordanit be the Queenis Majeſtie and thrie eſtates forſaid, That na perſoun or perſonis, of quhatſumeuer eſtat, degrie, or conditioun they be of, tak vpoun hand, in any tyme thairefter, to vſe any maner of witchcraftis, ſuperſtitiounes, forceries, necromancies, or divinatiounes, or give thamefelffis furth to haue ſik craft or knowledge, thairthrow abuſeand the people, wndir the paine of death. And trew it is, and of veritie, that ye, the ſaid Katherine, hes contraveinit the tennour of the ſaid act of parliament, be vſeing and practeiſing of witchcraftis, forceries, and divinatiounes, and in geving your felff furth to haue ſik craft and knowledge, and in companie and ſocietie keiping with the devill, your maiſter, at dyverſe and ſundrie places, and thairthrow abuſeand the people, in maner following: And thairfoir, and for vſeing and practeiſing of the ſaid abhominable ſuperſtitioun, aught and ſuld be adjudgit to the death, in example of vtheris to do the lyk.

I. FYLLIS. Abusing since she was enacted for abstinence. Confest onlie that scho said for alms God wold send fair weather.

AND, in ſpeciall, ye ar indytit and accuſit for airt and pairt of the abhominable Superſtitioun, in that, vpoun the* day of March 1642 yeiris, James Caithnes in Rowſay, having gone ower to Weſtray for doing ſum of his effairis thair, and culd not get home tymeouſlie to his hous, for ill weather; in the meantyme, quhill his wyif was thinking long for hir huſbandis homecumming, ye cam to hir, and ſaid to hir, Give me ane peice of cloath, als much as will be ane pair of handſkouſe, and your huſband ſall get fair weather to come home ſhortlie, befoir ye get your ſupper; and, vpoun the morne, the weather becam fair, and the ſaid James cam home: Quhilk was done be your witchcraft and devilrie.

II. FYLLIS. Divination, and strong presumption of Witchcraft.

ITEM, ye ar indytit and accuſit that* yeiris ſince, or thairby, Thomas Corſe in* being lying deadlie ſeik, and in all menis judgment quha ſaw him without hop to live langer, and being for the tyme ſenſles, not knoweing quhat was done or ſaid to him, ye cam to

* These blanks, and the ones that follow, occur in the original manuscript.

his hous, and faid to Margaret Craigie, his wyif, that the faid Thomas wold not die of that feiknes; and ȝe affurit hir thairof, and ȝe brocht with ȝow thrie ſtanes to the hous, quhilkis, tymous in the morneing, ȝe laid in thrie corneris or nookis of the hearth, quher the ſamen continwit till about day-ſetting; and then ȝe did, with ȝour awin handis, tak vp the thrie ſtones from their ſeverall places, and laid thame behind the dore all night; and tymous in the morneing, ȝe did tak vp theſe thrie cold ſtones, and put thame in ane veſſell, with water, when the faid Margaret hard on of theſe ſtones chirme and churle in the water, but as ȝit ȝe told hir not quhat ſpirit trublit hir huſband. Efterward ȝe cam with the water, and waſhed the faid Thomas Corſe thairwith, at quhilk tyme he was ſo ſenſles that he knew not quhat was done to him: efter as ȝe haid waſchen him the firſt tyme, ȝe again took the thrie ſtanes, and vſit thame the ſecund and thrid tyme, as at the firſt, and waſhed him with the water, as at the firſt; and quhill ȝe war waſching him the thrid tyme, he becam ſomquhat ſenſible, and knew that ȝe war waſching him, quhich he perceavit not the two former tymes ȝe did waſh him. And immediatlie the ſame day, tymeous in the morning, efter as ȝe haid waſhen him the thrid tyme, ȝe deſyrit the ſaid Margaret Craigie his wyif to goe about the loch with ȝow for getting of hir huſbandis health; but the ſaid Thomas Corſe begining at the ſame tyme to recover and to becom ſenſible, hearing ȝour ſpeich to his wyif, ſtayit hir, that ſhoe went not with ȝow: Quhilkis war done by ȝour witchcraft and devilrie.

III. FYLLIS. Witchcraft. Confessis at desyre sho went to the schoir.

ITEM, ȝe ar indytit and accuſit for airt and pairt of the abhominable Superſtitioun and Witchcraft, in that ȝeiris ſince or thairby, Thomas Irwing, younger, being verie ſeik in Quondale, quhairfra he was flitting, he was brocht in to Jonet Sklateris hous in Cogare, heavilie diſeaſit with a ſenſleſnes, that he knew not quhat was ſaid or done to him; ȝe cam to the ſaid Jonet Sklateris hous, and knoweing that the ſaid Thomas was lying ſeik in his hous, ȝe ſaid that it was the ſea trow or ſpirit that was lying vpoun him, which might weill enuch be flyed away, and efter this, ȝe went and brocht with ȝow thrie ſtones, and laid thame in thrie corneris or nookis of the hearth, from morneing till night, then ȝe took

thame vp in 3our hand, and laid thame behind the dore all night till tymous in the morneing; at which tyme, 3e took vp the thrie cold ſtones, and put thame feverallie into a weſchell with water, quhair the ſaid Jonet hard on of the ſtones chirme and churle. Thairefter, 3e took the water and waſhed the ſaid Thomas thairwith; but he was ſo ſenſles that he knew not that 3e haid waſhen him. This 3e did with the ſtones and water thrie feverall tymes and morningis togither to him, and efter, as 3e haid waſhen him the thrid tym, immediatlie, that ſame night following 3e cauſit him to ryſe out of his bed vndir ſilence and cloud of night, to goe with 3ow to the ſea ſchore, forbidding him to ſpeak at all, be the way, till 3our returne to the hous of Cogar, and ſo 3e went befoir, and the ſaid Thomas followit 3ow, and be the way he was ſore affrayed, and many tymes thocht not to haue gone further with 3ow; but 3e ſpeaking nothing only beakned to him with 3our hand to goe fordward with 3ow to the appoyntit place. So 3e went with the ſaid Thomas doun beneath the bridge of Savaſkaill, at the ſea ſchore, wher 3e did tak thrie looffffull of water, and did caſt the ſamin ower his head, and afterwardis he returnit with 3ow to the hous of Cogar, befoir any of the houſe war riſen out of thair beddis; and euerie day thairefter he convaleſcit and becam better of his ſeiknes: Quhilk was done be 3our witchcraft and devilrie.

Confeſt ſcho gaid to the watter, and casting it ower his heid.

IV. FYLLIS. Divination. Denyis.

ITEM, 3e ar indytit and accuſit, That 3eiris ſince or thairby, 3e being in Margaret Craigies hous, the ſaid Margaret haid ane 3oung quoyak calfe, whilk did eat ane beat of lint vnto 3ow, quhairvpoun, 3e being verie angrie, ſaid to the ſaid Margaret, 3e ſall nevir milk hir; dogis ſall eat hir. Knowe 3e not quhat becam of Rowie Flawis kow, quhilk did eat my courtch? (for it was of treuth, that efter the kow had eattin 3our curch, ſhoe nevir did moir good). Efter theſe 3our wordis, the calfe becam a beaſt of thrie 3ieris auld, went to the hill quhair it died, was nevir found till the doggis haid eattin: Quhilk was done be 3our witchcraft and devilrie.

V. FYLLIS. Fearfull abuse.

ITEM, 3e ar indytit and accuſit, That vpoun ane Saturday in winter,

Confessis hir going about the logh, and hir report that it wold not mend her.

3eiris ſince or thairby, when William Flawis in Cogar was lying ſeik, 3e cam to Henrie 3orſtounes hous, and lodgit thair all night, and aroſe tymous in the morneing, being Sunday, a litle befoir the break of day, being verie tempeſtuous weather with ſnow and ſleit, the ſaid Henrie, and Katherin Windwik his ſpous, and thair children, being all as 3et in thair beddis, 3e fought ane garter from ane of the bairnes, but they vnwilling to ryſe, refuſit 3ow: As 3e wer going out of the hous, 3e wold haue haid ane of the bairnes to haue ſteikit the dore efter 3ow, but the bairnes vnwilling to ryſe, deſyrit 3ow to draw to the ſamen efter 3ow, quhilk 3e wold not doe. Vpoun Monday, in the morneing, the ſaid Katherin Windwik went to Thomas Corſe his hous to viſit him, thinking that he was eather dead or verie neir, and non that haid ſein him the night befor thoght that he culd eſcap, and quhen ſhoe cam in to his hous, ſieing the ſaid Thomas lying in his bed laughing, and 3ow ſitting in the hous, ſteppit in by, to goe neir to Thomas Corſe, quhair he lay, and in the bygoing, 3e ſpak quyetlie to hir in hir ear on this maner, quhat ſikane morneing, think 3e, haid I yeſterday? quha anſuerit 3ow, quhy, quhat glangoir war 3e doing in that ill weather? 3e ſaid to hir againe, I was about the loch with Jonet Sklateris, ſpous to William Flawis, but it is for no ſtead, it will never mend hir. Theſe thingis began to be rumorit, and the feſſioun being acquaintit thairwith, the ſaid vmquhile Henrie 3orſtoun was cited, and declarit the ſamen done by 3ow, and told to him be his wyif. Afterwardis, 3e being lodging in Eſſen Corſe his hous, ſhort efter, 3e ſaid, Henrie 3orſtoun hes bein making reportis of me, but er ane 3eir be at ane end he ſall find it; and ſo it fell out, that the ſaid Henrie 3orſtoun contracted great ſeiknes, and died within the 3eir efter, as 3e haid wented 3our anger againeſt him, and efter the death of the ſaid Henrie 3orſtoun, the ſaid Eſſen Corſe told the ſaid Katherine Windwik 3our irefull wordis vttered againeſt hir ſaid vmquhile huſband; and this alſo cumming to the knoweledge of the feſſioun, and being cited to declair quhat he knew thairin; but er the feſſioun day came, the ſaid Eſſen, taking with him his ſone, ane yong boy, to the craiges to draw fiſh, but the ſaid Eſſen Corſe was takin out with ane

ſwelling ſea, and drouned, and the chyld eſcaped: Quhilk was done be 3our witchcraft and devilrie.

VI. FYLLIS. Abusing, and a strong presumption of witchcraft.

ITEM, 3e ar indytit and accuſit, That 3eiris ſince or thairby, quhen William Flawis in Cogar wes lyand ſeik, 3e took Jonet Sklatter, his wyif, and Margaret Irwing, his ſervant woman, with 3ow, quhair 3e direct the ſaid Jonet to follow 3ow, and cauſit the ſaid Margaret Irwing follow the ſaid Jonet, and went about the loch in this ordour, and about the four nookis of the kirk 3aird, and none of 3ow ſpak ane word all the while, quhair in 3our progreſs and regreſs, 3e returnit in that ſame maner, 3e the ſaid Katherin going ſtill befoir; at laſt, cumming to the hous, 3e enterit in the hous firſt, and ſteppit into the feller quhair the ſaid William Flawis was lying ſeik, and the ſaid Jonet Sklatter and her woman followit 3ow, and quhen 3e and they enterit in the feller, 3e than began to ſpeak, and bad the ſaid Margaret lay her hand in William Flawis' hand, quhair he was lying, quhairat the ſaid Margaret began to fear ſome miſcheif intendit againſt hir, and was verie loth to do it; 3it at laſt, ſhoe took him by the hand verie ſlenderlie: this done, 3e bad the ſaid Margaret gang but the hous, quhairat the ſaid Margaret became verie fearit, and weipit, and ſat doun, and wold onawayis ſtirr, nor goe firſt out. Thairfoir, 3e went out firſt 3our ſelff; and quhen the laſs cam but the houſe, 3e began to flyt with hir becaus ſhoe wold not goe firſt out. After theſe thingis, vpoun ane vther day, quhen the ſaid Margaret haid come in from hir work, the ſaid Williame being lying ſeik, ſhoe fand 3ow ſtanding vpoun the floore, holding ſomething cloſe betuix 3our handis, and 3e cam to hir, and held the ſamen to hir left ear, and ſaid to hir, heareſt thow that? and the ſaid Margaret hard ſumtyme chaking werie quyetlie at hir ear, then ſhoe aſkit 3ow quhat it was ſhoe hard; and 3e anſuerit, it was ane ſtane which was clowen, and water haid enterit in betuix both halfis of it, and it was the water that pized within the ſtone: Quhilk was done be 3our witchcraft and devilrie.

Denyis both scho went about the logh with the rest, and wes in the hous.

VII. FYLLIS.

ITEM, 3e ar indytit and accuſit, That 3eiris ſince, 3e being

dwelling with Thomas Corſe wyf, Margaret Craigie ſaid, if it happint 3ow to be out of the houſe in the fartheſt pairt of the yle, all that ſhoe wold ſpeak in hir awin houſe, moſt ſecretlie and privatlie, 3e, at 3our firſt home cumming to the hous, 3e wold tell her of it: Quhilk revelatioun and foirknoweledge 3e haid of the devill, 3our maiſter. Devilish revelation. Denyis.

Item, 3e ar indytit and accuſit, That 3eiris ſince or thairby, quhen 3e dwelt with Katherin Windwik, ſpous to Gilbert Mowat, if it haid chanched 3ow to haue bein furth at work, or haid bein in the fartheſt pairt of the yle, though ſhoe ſuld even [do] a thing nevir ſo ſecretlie, and it haid bein but to heat a drink to her ſelf quyetlie, quhairof ſhoe thoght thair was none that culd haue knoweledge, 3it, quhen 3e cam home 3e wold tell her of it: Quhilk revelatioun and foirknoweledge 3e haid of the devill, 3our maiſter. VIII. Fyllis. Denyis. Devilish revelation.

Item, 3e ar indytit and accuſit, That this laſt 3eiris ſince or thairby, quhen Magnus Harcas was tormentit with ane intollerable paine in his leg, 3e cam to him quhair he was lying, and deſyrit to ſie his leg, quha let 3ow ſie it, and 3e ſtrakit 3our hand tenderlie vpoun it; ſo it fell out, that immediatlie efter, as 3e went furth, the great paine ſlacknit, and ay becam better: Quhilk was done be 3our witchcraft and devilrie. IX. Fyllis. Denyis. Strong presumption since she was enacted for abstinence.

Item, 3e ar indytit and accuſit, That this laſt 3eir, when Magnus Craigie in Skaebrek was verie ſeik, Jonet Ingſger, his wyif, going to Hunclet to ſeik ſum help for him, and be the way ſhoe met with 3ow, and told 3ow of her huſbandis ſeiknes, and 3e ſaid vnto hir that 3e haid Vrſulla Alexanderis ſnood, quhilk 3e haid keipit ſince 3e put hir in hir winding ſheit, and ſaid vnto hir that 3e wold give it hir, and cauſe bind it about hir huſbandis waiſt, and if it war the dead manis ſting which trublit him, it wold cuir and heale him. 3e ſaid alſo that Beſſie Spence hes ay ane ſore head, it is ay pained, and ſhoe wold faine haue this ſnood fra 3ow to wear in hir head, for this ſnood is good for thame that haue ſore headis: Quhilk ſhoe reſſauit from 3ow, and band it about hir huſbandis waiſt. X. Fyllis. Confessis sho said that sho haid vmquhile Ursullas snood. Superstitious abuse since she enacted her selfe.

XI. FYLLIS. Denyis. Strong presumption.

ITEM, 3e ar indytit and accuſit, That 3eiris ſince or thairby, Katherin Barnie, vpoun ane certain day quhen 3e wer out of the hous, did goe to 3our heavie, quhair it did hing vpoun the wall, to ſik for ane ſpindle, and thairin fand, bound in a knott within a clout, thrie graſſis, whilk ſhoe reveilit to Annabell Murray, ſumtyme ſpous to Magnus Corſe, quha reveilit it againe to hir mother, Margaret Craigie, and ſhoe told Hairie Ingſger hir huſband thairof, quha took with him Thomas Craigie in Savaſkaill (being both elderis), they went and found the thrie graſſis bound in a knot and lying in your heavie, and ſhortefter, the ſaid Annabell Murray contractit ane lingring diſeaſe, and nevir recouerit thairof quhill ſhoe died: Quhilk was done be 3our witchcraft.

XII. Denyis. Superstition since she acted her selfe. CLENGIS.

ITEM, 3e ar indytit and accuſit, That thrie 3eiris ſince or thairby, quhen Katherin Ethay, ſpous to John Work in Egilſchae, was contractit in mariage and proclamit in the kirk with him, and befoir they wer mairyit together, 3e cam to her and ſaid, quhat now ar 3e going to dwell in Egilſchae, tak my counſale with 3ow, and 3e be wyſe, and 3e ſall not ſpeid the worſe; quhen 3e ar going out of Rowſay to 3our awin hous to Egilſchae, remember to tak home with 3ow the waſh cog, and the catt of this hous with 3ow to 3our awin houſe.

XIII. FYLLIS. Denyis.

AND [in] generall, 3e, the ſaid Katherin, ar indytit and accuſit for contraveining the tennour of the ſaid act of Parliament, and for airt and pairt of the vſing and practeiſing of the witchcraftis, forceries, divinatiouns, and ſuperſtitiounes aboue ſpecifeit, and in geving 3our ſelff furth to haue ſik craft and knoweledge expreſſie againes the tennour of the ſaid act of Parliament, thairby abuſeand the people, and that by 3our curſingis and ſuperſtitiounes that wrongis and hurtis both man and beaſt: Quhilk evillis ar brocht to pas by 3our devilrie and the working of the devil, 3our maiſter, and ſwa 3e ar haldin and repute ane commoun notorious rank witch, diviner, and forcerer. And, thairfoir, aught and ſuld vndirly the law, and be adjudgit to the death thairfoir, and 3our haill gudes and geir eſcheit and inbrocht to his majeſties vſe, conforme to the lawis and practique of this kingdome.

Curia Vicecomitatus Orcadenſis tenta apud Kirkwall in lie Walhous ibidem per magiſtrum Henricum Aitken vicecomitem deputatum die vndecimo Julij 1643, et affirmata.

Compeirit the procuratour phiſcall, and producit the panell with the dittay, and defyrit the ſaid pannell to be accuſit thairvpoun.

Quha wold allege no reſſonabill cauſe why ſho ſould not pas to the tryell of ane Aſſyſe.

ASSISA.

Magnus Irwing in Ovirgarſar.
Wm. Sabiſtane in Sour.
Alexr. Kirknes in Myre.
Hew Hourſtane, portioner of Hourſtane.
Alexr. Linkletter in Skabra.
Hew Redland in Skaill.
Patrik Miller in Arthſtoun.
Rolland Ingiſgar in Weſburgh.
Henrie Ingſgar thair.
James Alexander in Bankis.
Niniane Folfetter in Quendale.
James Brand in Knarſtane.
Rot. Mowat in Quendale.
Henrie Harrald in Wyre.
Thomas Redland of Redland.
Rolland Loutat in Gire.

Vpoun the admiſſioun and ſweiring of the Aſſyſe, the procuratour phiſcall aſkit actis.

VERDICT.

The Aſſyſe paſſing out of judgment, electit, for the moſt pairt, Alexander Kirknes in Chancellar: And reentering, in ane voice be his mouth, Fyllis the pannell in ellevin poyntis of the particular dittayis, and alſo of the generall, and Clengis hir of the twelft: Referring ſentence to the judge, and dome to the dempſtar.

Allexr Kirknes.

Acceptis the determinatioun of the Aſſyſe, and continewis ſentence.

SENTENCE.

xij July 1643.

Ordanis the pannell to be tane be the lockman, hir handis behind hir back, and caryit to the place of executioun, and thair wirreit at a ſtaik and brunt in aſhes; quhilk Hew Heriefone, dempſtar, gaue for dome.

TRIAL OF JONET REID FOR WITCHCRAFT, CHARMING, &c.

INTRAT vpoun pannell, JONET REID, for the abhominable fuperſtitioun [of] vſing and practeiſing of the Witchcraftis vndirwrittin, viz. :—

ȝE, the ſaid Jonet Reid, ar indytit and accuſit for airt and pairt of the contraveining of the tennour of the act of Parliament, maid be our vmquhile dread ſovirane ladie, Marie, be the grace of God, Queen of Scottis, with the adwyſe of the Thrie Eſtates, in the nynth Parliament: That, quhair they being informit of the heavie and abhominable fuperſtitioun vſit be dyverſe of the leidges of this realme, be vſeing of witchcraft, forcerie, and necromancie, and credens gevin therto in tymes bygane againeſt the law of God; and for awoyding and awayputting of all ſik fuperſtitioun in tyme cumming, it was ſtatut and ordanit, be the Queenis maieſtie and Thrie Eſtates forſaidis, That na perſoun or perſonis, off quhatſumeuer eſtat, degrie, or conditioun they be of, tak vpoun hand, in any time therefter, to vſe any maner of witchcraftis, forceries, or necromancies, or giue thame ſelffis furth to haue ſik craft or knowledge, thairthrow abuſeand the people, vndir the paine of death: And trew it is, and of veritie, that ȝe, the ſaid Jonet, hes contraveinit the tennour of the ſaid act of Parliament, be vſeing and practeiſing of witchcraftis, forceries, divinatiounes, and fuperſtitious charmeingis, and in geving ȝour ſelff furth to haue ſik craft and knowledge, and in companie keiping with the devill, ȝour maiſter, at dyverſe and ſundry places and tymes,

and thairthrow abuſeand the people, in maner following: And thairfoir, and for vſeing and practeiſing of the ſaid abhominable ſuperſtitioun, aught and ſuld be adjudgit to the death, in example of vtheris to doe the lyk.

1. Fearfull abuse. Confessis she offert mint to put away mice. Fyllis.

And in special, ȝe ar indytit and accuſit for airt and pairt of the abhominable ſuperſtitioun, in that about aught or nyne ȝeiris ſince, William Kirknes in Pow, being bigging his bear ſtak, ȝe cam to him, and offered him ane graſs, as ȝe callit it, but to his appearance, nothing but ane litle quantitie of quhyt moſs or fogge, and baid him put it in his ſtak, affirmeing that it ſuld mak him keip the profeit of his cornis, ſo that none ſuld be abill to tak it from him, which, notwithſtanding, he refuſit to doe, ſaying that he ſaw no profit in it; quhairvpoun ȝe went away diſcontented.

11. Clengis. A strong presumption of sacrifieing to the Devill. Confessis she wes drying corne, and that quhen the stone brak she curst, and that the corne on the stone lip.

Item, ȝe ar indytit and accuſit, That about the tyme forſaid, ȝe being inſ-woman in the ſaid William Kirkneſs hous, as he was ryſeing in the morneing, he hard ȝow ſay to ȝour doghter, wha was onlie with ȝow in the fyrehous, ȝe being in the meantyme drying corne with ane hott ſtone one ane ſlakkit, I am drying this corne to [the] devill; and with that word, he ſtepped out of the celle where he lay, and ſaw incontinent the ſtone, and the whole corne ȝe war drying, ſlie throw the hous, ſo that thair culd be nevir ane bit of the ſtane, or ane pickle of the corne, be ſein againe. Quhilk was done be ȝour witchcraft and devilrie, and quhilk ȝe offerit in ane ſacrifice to the devill ȝour maiſter.

111. Denyis. Fyllis. A strong presumption of Witchcraft.

Item, ȝe ar indytit and accuſit, That about aught ȝeiris ſince or thairby, Robert Sinclair of Nether Gerſand, being impotent at that tyme, as he gaue it out himſelff, ȝe gaue Margaret Sinclair, naturall dochter to the ſaid Robert, ſome liquour like water in ane ſtoup, and direct it hir to put it twa or thrie feuerall tymes in his meat, and he having ſuppit thairof, within ane night, or at moſt twa, after, he fand himſelfe reſtorit to his wountit vigour and abilitie; and William Kirknes hearing how the ſaid Robert was reſtorit, jeſting with ȝow, aſkit ȝow how ȝe haid

helped Robert Sinclair, his father in law? ȝe anſwerit, If he haid cum to ȝow befoir he was married, ȝe ſuld haue helpit him than alſweill as ȝe haue done now; quhilk was be ȝour witchcraft and devilrie.

IV. Fyllis. Denyis. Abuse.

Item, ȝe ar indytit and accuſit, That, ȝeiris ſince or thairby, Robert Sinclair in Gerſſand, being eſter he haid married his ſecund wyif, fore trublit in his ſleip with apparitiounes of his ffirſt wyiff, which wexit him and diſquietit him verie much, he was advyſit be ȝow to goe to his firſt wyifis grave, and to chairge hir to ly ſtill and truble him no moir.

V. Confessis she told the Charm anent the beinschaw. Fyllis. Charming and Abuse.

Item, ȝe ar indytit and accuſit, That about nine ȝeiris ſince or thairby, John Kirknes in Houſgar, being heavilie diſeaſit, ȝe cam to his hous, and ſaid to his wyif, Ȝour huſband hes the beanſchaw, and gif ȝe will I can help him: Quhairvpoun his wyif cam to him, and deſyrit him to ryſs, and cum to the fyre hous, quhich he did at his wyifis deſyr, and ȝe ſaid to him, Guidman, if ȝe will, I fall charme ȝow of the boneſhaw: And he conſenting, ȝe gropped all the joyntes of one of his ſydes with her hand, and ſpake certain wordis ower him, and cauſit Katherin Kirknes, his ſervant woman for the tyme, repeat everie word eſter ȝow, at ȝour directioun, in preſens of his wyif and ſervant woman.

VI. Confessis. Fyllis. Charming.

Item, ȝe ar indytit and accuſit, That, ȝeiris ſince or thairby, ȝe charmed Elſpeth Sinclair, ſpous to William Kirknes, of the boneſhaw (as ȝe callit it); and that ȝe vſit beſyd wordis, nyne blue ſtones, quhilk ſhoe did putt in ane veſſell with water, twitching her joyntis with each of the ſeverall ſtones, which ȝe keipit in your lap, and went fourth with; and eſter waſhed her with the water that was in the weſſell in which the ſtones lay.

VII. Confessis. Fyllis. Charming and Abuse.

Item, ȝe ar indytit and accuſit, That, ȝeiris ſince or thairby, ȝe charmed Henrie Sowie, ſervitour to Alexander Linklatter in Houſgar, of the boneſhaw; and that ȝe cauſit ane ſone of the ſaid Alexander repeat the charme after ȝow; and that ȝe vſit water and ſtones, as is aforeſaid, whilk was alreddie confeſt be ȝow; and the ſaid Henrie, being

vnabill to ſtirr out of his bed for the ſpace of fourtein dayis befoir, recoverit his health, and was abill for his work within twa dayis efter, as ȝe haid ſaid the charme ower him; whilk was done by ȝour witchcraft and devilrie.

VIII. Confessis. FYLLIS. Fearful abusing by many damnable Superstitions.

ITEM, ȝe ar indytit and accuſit, That, ȝeiris ſince or thairby, that ane of Alexander Linklatteris children in Houſgar being leane and ill lyke, ȝe ſaid that the child haid the hart cake; and that gif ȝe pleaſit ȝe wold caſt the hart cake, and ſie what wold become of him; which ȝe did in this maner: Ȝe took ane pott with water in it, and laid the tonges athwart the mouth of the pott, and than laid ane codd aboue the tonges, and ſet the child on it; thairefter ȝe took ane ſeif and ſet [it] on the childis head, and ſet ane cogge full of water in the ſeive, and then laid ane woll ſcheir on the coggis mouth, and then ȝe took lead and put it in ane iroun lamp, and meltit it, and powrit it throw the boul of the ſcheir into the water thrie ſeverall tymes, devining throw the lead whither the child wold recover or not; and quhen ȝe haid done all, ȝe gaue the child ane drink of the ſaid water, and ſaid he wold be weill; [but as ȝit the child is not].*

IX. Confessis. FYLLIS.

ITEM, ȝe are indyted and accuſit, That, ȝeiris ſince or thairby, ȝe vſit the haill particular charme abouewrittin, in all poyntis, with ane child of Robert Sinclairis in Nether Gerſand.

X. Denyis. FYLLIS hir as a commoun Charmer.

AND GENERALLIE, ȝe ar indytit and accuſit for airt and pairt of the vſing and practeiſing of witchcraftis, ſorceries, divinatiounes and charmes, as particularlie abouewrittin; and in geving ȝour ſelff furth to haue ſik craft and knowledge, thairthrow abuſeand the people; and that by ȝour curſingis and imprecatiounes, ȝe wronge both man and beaſt. Quhilk evillis ar brocht to pas be the power and working of the devill ȝour maiſter: And thairfoir ȝe aught and ſuld vndirly the law, and be adjudgit to the death thairfoir, in example of vtheris to doe the lyk.

* These words are scored out in the MS.

ASSISA.*

The Aſſyſe paſſing out of judgment, electit for the maiſt pairt Alexander Kirknes in Chancellair; and returning, all in ane voice, be his mouth, FYLLIS the pannell in the firſt, thrid, fourt, fyft, ſext, ſevin, aught and nynt poyntis; as alſo of the generall, as a commoun notorious abuſer and charmer: And CLENGIS hir of the ſecund.

ALEXR. KIRKNES.

Acceptis the determinatioun of the Aſſyſe, and continewis ſentence.

xij July 1643.

Ordaines the pannell to be takin be the lockman, hir handis bund behind hir back, convoyit to the place of executioun, wirreit at a ſtaik, and brunt in aſhes.

* The names of the jurymen are not given. It may be right here to notice, that the blanks occur in the M.S.

TRUE RELATION OF MY LORD OF WARWICK'S PASSAGE.

TRUE RELATION OF MY LORD OF WARWICK'S PASSAGE.

Robert Rich, second Earl of Warwick, was born in May or June 1587, and succeeded to the title on the demise of his father in 1615; "but we hear not of him," says Lodge, "either in the court or parliament, or in any kind of public employment, till the year 1625, when, during the preparations for the ill-managed expedition to Cadiz, he was appointed, on a rumour that the Spaniards had projected an invasion on the coast of Essex, to command the militia of that county, in which lay his estates, and to watch over the security of Harwich and the neighbouring ports. A blank of several years now again occurred in his history, during which he attached himself to the Puritans, and indulged, as they gradually became dangerous, a growing ambition to be considered as their leader."

The "blank" in the life of the noble lord is partially supplied by the following paper, for the first time printed, from Sir James Balfour's MS. Collections, in the Library of the Faculty of Advocates, from which it appears, that, in 1627, the Earl narrowly escaped being captured by the "Spanish Armatho." The account of his perils, which is very interesting, is apparently written by himself; and, as his Lordship was afterwards one of the most distinguished supporters of the Commonwealth, and makes a prominent figure in the history of those times, the publication of it will not be, it is presumed, unacceptable.

Josiah Ricraft, in his Survey of England's Champions,* has given a biographical sketch of the life of Lord Warwick, to which he has prefixed the following verses:

A third bright star within our hemi-spheare
Of reformation, is this noblest Rich;
Richer, indeed, than can to men appeare,
Because his aymes on noble ends do pitch.
This trusty pilot waits upon the ocean,
Watching both forraigne and domestick foes:
Then to the land; thus in their restlesse motion,
Are pious souls whom God doth here dispose
To honour him and do his will on earth,
And them he honours with a second birth,
Which begets in Warwick prudence and love:
A lion's heart, yet harmlesse as the dove.

* London, 1647. 8vo.

" He was," continues his biographer, " unto our kingdome (under God) as a bulwarke of defence, a rock of refuge, a castle and tower to flie unto; a strong and mighty wall to defend us from the malicious pride and cruelty of France, Spain, Denmarke, and all the world besides: and had not brave renouned Warkwicke stood to us and guarded our coasts, we and our kingdome had long ere this been a prey to our enemies at home and abroad." Warwick had been appointed Lord High Admiral of England in the year 1642, an appointment which he held until his death, which took place 18th April 1658, a short time previous to that of Cromwell, who was much attached to him, " though neither their humours nor their natures were like;"* and whose daughter Frances was the first wife of the Earl's grandson.

The Earl of Warwick " was a man," says Clarendon, " of a pleasant and companionable wit and conversation; of an unusual jollity; and such a licence in his words and in his actions, that a man of less virtue could not be found out; so that one might reasonably have believed, that a man so qualified would not have been able to have contributed much to the overthrow of a nation and kingdom. But with all these faults, he had great authority and credit with that people, who, in the beginning of the troubles, did all the mischief; and by opening his doors, and making his house the rendezvous of all the silenced ministers, in the time when there was authority to silence them, and spending a good part of his estate, of which he was very prodigal, upon them, and by being present with them at their devotions, and making himself merry with them, and at them, which they dispensed with, he became the head of that party, and got the style of a godly man." He turned his patriotism to good account, for " he left his estate, which before was subject to a vast debt, more improved and repaired, than any man who trafficked in that desperate commodity of rebellion."†

* Clarendon, vol. vii, p. 291. Oxford edition. 1826, 8vo.

† Clarendon, vol. iii, p. 560.

A TRU RELATION OF MY LORD OF WARWICKS PASSAGE THROUGH THE SPANISH ARMATHO, SINGLE IN HIS OWNE SHIP, NEAR THE ROCK OF LISBONE, THE 4TH OF JULY 1627. SETT FORTH THE 10TH OF MAY.

Vppon Sunday, beeinge the firſt of July, towards night, there came a Captaine Runnegado Portengale that had beene in my companie fom 3 dayes before, from whome I redeemed 2 Engliſh captiues: and told mee he had deſcride the Brazeele fleete to the fouthward; that they could heardly weather Cape Pitcher, the winde beeinge northwardly: where vppon I gaue order to fett fayle, hauinge beene all that day becalmed, beeinge weſt-fouth-weſt of the Rock about 7 leages, and in the morninge I gott the entrance of the Riuer of Liſborne by the dawninge of that day, and att funriſing, perceauinge they were not com in to Caſecales, wee caſt about and ſtoode of right to ſea the way that they ſhould com in. And hauinge ſtoode for 3 howers, I will'd the Turk to run a head, hauinge an excellent faylinge ſhip, to ſee if he could deſcry them, itt beeinge very foggie againe. After fom 3 glaſſes, the Turk returned and told mee they were hard by ſtanding in to the ſhoare, fom 30 fayle of them; ſo I caſt about after them, my vize admerall and reare beinge ſo to windward of me fom 2 or 3 leages, I ſuppoſing that when they heard my ordenance they would com round to mee, for in leſs then half an hower I fell neare the admyrall of the galliownes and other fower great galliownes of his fleete, who ſuppoſed mee to bee of theyre owne fleet in the miſt, for I bore vp with them within half muſkett ſhott, the admerall hauinge his mayne fayle brayld, which as ſoone as I had made, I caſt about againe prefently from them. Two of them tackt about after vs. Wee were no ſooner about, but there fayled of, one of theyre pinneſſes right ahead of vs, ſo wee beat vppon him, and did all that ere wee could to run ouer him, who eſcaped very narrowly cloſe vnder our lee, but wee

paide him foundly, both with our great ordenance and fmale fhott, which did fo amaze them that they knew not which way to goe, att which inftant 3 other galliones were clofe on the weather bow of mee, which I likewife faluted with my whole brode fid and fmale fhott as they paft by me feuerally, who prefently caft about after mee: the vize admerall with his fquadron beeing 6 fhips, one was the George an Engliſh fhip, one Malbyes of Bwtan, who gaue vs chace allfoe, fo I commanded all thinges redy to be prepared for theyre entertaynment, and the firft that came vp clofe to mee I faluted with a broadfid, and fo plide him with fmale fhott, that (by the help of God) we fhott downe his mayne top fayle, and did fo teare him that he durft not ftay any longer, but bore vp vnder our fterne and lay by the lee, and we faw her no more. A fecond came vp with vs clofe, and after an exchange of 2 or 3 brodefides he tackt about (with intent as I fuppofed) to haue giuen vs another brodefid; but it pleafed God we lighted fo right vppon him with our double and crofbar fhott, that he allfo left vs and was glad to be gone. When I faw my felfe fo fure ingadged and feene of them, and that they had gott the wind of mee, I refolued that wee muft out run them, and it pleafed God fo to order it for vs, the mift fometime thickninge, that all the fleet could not fee vs that were to leeward of vs, but followed after by the found of the ordinance. A third man came vpp, the braueft and valienteft captaine in the whole fleet, and nere difcharged a peece, vntill he cam within lefs then piftall fhott, with intent to bord vs, whome we likwife welcomed with the beft wee had, which wee were not fparinge of, but wee fent it him freely, and our cafe fhott tooke fuch effect, that with difcharge of a great brafs port peece that lay vppon our half deck, there was a great and grecuious cry amongft them, O vale me Deus; where at they fell off and lay by the lee. Som of our fhott hauing hitt him betwixt wind and watter, fom of my men deferned fhee was funck a yard deepe. Then theyre viz admirall cam vp in the weather of vs (the mift beinge more clearer), and 5 galliones more with him. Wee ftood on ftill with our bote att our fterne, our flagg and bloudy coullors flyinge, but he was not fo good a fouldier as he had a fhip, which had 40 peeces of brafs ordenance (as our Portingale prifener told vs). When he came right in the wind of vs, he louft in the

wind to mack ſhott att vs a farr of, which wee anſwered againe, and ſo was ſtill now and then in the wind, by which occation he fell a ſterne, when he might haue borne vppon vs, by which means wee gott a head, and ſo went through the fleete. Hee with fiue more ſtill gaue mee chace, but after ſom 3 howers two of them tackt about (as wee conſeaved), ſpyinge ſir Frances Stuart, which was our viz admerall, and all this while to windward of vs. How he ſped I do not know yett; but ſtill the viz admerall and 2 more continued followinge vs: two of them kept very neare vs in our weather quarter, beating vppon vs and wee at them, but they durſt not com within muſkett ſhott of vs. It growinge late, and the Jonathon beeing com in our companie, ſo it grew dark, theyre vife admerall ſhott of a peece and drew them of, and I am perſwaded they were not ſorie, for they durſt not com neare vs all though they went better then wee. All our men behaued themſelves paſſinge well, and ſhewed themſelves to be tru hearted Engliſh men: in which fight wee had but three men killed out right with great ſhott, and ſix men hurt with ſplinters and ſmall ſhott. Wee had ſom 12 men ſorly hurt by a horne of powder and 3 or 4 carthrages of powder that tooke fier in our ſhip by negligence of a match. Wee receaued ſom ſhott from them, but none to any preiudice. Then I ſhapt my courſe for the Weſterne Ilands, and after 6 dayes had fight of St Michaells and St Maryes: wee lay longe becalmed vnder the eaſt end of St Michaells, beeinge a continuall fogg, where our men fell downe very faſt of the ſcurvy and calenture, ſo that Captaine Mountique, our reare admerall (who was onely with vs now), came abord vs with his officers of his ſhip with him, making a great complaint that of ſix ſkore and fiue men he had, one hundred were falne downe and in great extremitie, beſides thoſe hee had heaued dead ore bord, ſo that he had but nine men a watch; where vppon conſideringe if I ſent her away alone homeward, it might be the loſs of her, hauinge ſo many ſick, and hauinge many ſick in my owne ſhip allſo, and the winde beinge contrary (and water faylinge vs), and nott knowinge how longe wee might bee gettinge to Flowers and Corues* (whether wee intended to

* The islands of Flores and Corvo.

goe), and hauinge need of our ſmall ſhipps and pinniſſes, whoſe ſtay was the overthrow of our deſignes both by ſea and land. Vppon this conſideration it was thought fitt, by a generall conſent of both our ſhipps companies, to beat vpp for our owne coaſt, to refreſh our men and repayre our defects, which accordingly wee did haſt home agine, and ariued att Plimoth the one St James day* att night, 1627.

* 25th July.

AWARD BY JAMES THE SIXTH AS TO THE SUCCESSION TO THE BARONY OF SANQUHAR.

AWARD BY JAMES THE SIXTH AS TO THE SUCCESSION TO THE BARONY OF SANQUHAR.

Lord Hailes, in his Memorials of the Reign of James the Sixth, has printed an extract from the award pronounced by the King relative to the disputed succession of Robert sixth Lord Crichton of Sanquhar, from a copy in the possession of Mr Davidson. His Lordship does not appear to have been aware that the original draft, corrected throughout by the King, was amongst the Balfour MSS., together with the copy of a letter addressed by him to four eminent lawyers, whose opinions he was anxious to obtain, but who, it seems, entertained very opposite views of the merits of the case.

This cause, in which his Majesty took so much interest, arose out of these circumstances:—Lord Sanquhar had the misfortune to have one of his eyes, in a trial of skill, put out by a fencing-master named Turner. He had no thoughts of revenge, until some years afterwards, whilst at Paris, Henry IV. observing the loss, inquired—"Does the man yet live who has done you such an injury?" This was construed into a hint by his Lordship, that in honour he was bound to take the life of Turner. Accordingly, seven years from the date of the accident, the unfortunate Turner was assassinated by the orders of Sanquhar, who fled, but was subsequently apprehended, tried, convicted, and executed. Osborn says, after referring to the case of a Scotchman of the name of Murray, who killed a man that had come to arrest him, but who ultimately escaped punishment—"But the Lord Sankor found no such favour for killing Turner the fencer, who was a man of eminent parts, and so better deserved it; yet his servants and he were executed; by whose death the King satisfied in part the people, and wholy himselfe; it being thought he hated him for his love to the King of France, and not making any reply, when he said in his presence, to one that called our James a second Solomon, that he hoped he was not David the fidler's son. Thus doe princes abuse one another."*

This nobleman thus executed married the daughter of Sir George Farmer of Easton, in the county of Northampton, but by her had no issue. He left a natu-

* Traditional Memoirs. Edin. 1811. Vol. i. p. 130.

ral son, on whom he settled all his property of every description, including the barony of Sanquhar. This settlement was challenged by William Crichton of Ryehill, the heir-male, and at the urgent request of the King, the claims of both parties were, after some opposition, submitted to arbitration. At the period of this reference the natural son, who also bore the name of William, was a minor, a circumstance of which he afterwards availed himself. This award came to nothing; and the disputes were next submitted to the King, who required, in the first instance, the opinion of four eminent lawyers, and he selected the Lord Chancellor (Dunfermling), Lord Binning, Sir John Preston, and Sir William Oliphant—they differed in opinion, to the surprise of the King, who, in a letter to them, protests that he regarded the case as attended with no difficulty. He then took the matter in his own hands, and the result was the singularly curious and elaborate award, which reflects credit on his Majesty's judicial knowledge and dexterity, and proves, that by making him a monarch, a capital lawyer had been spoilt. From a letter, dated 7th June 1614, addressed to James,* it appears that William Crichton of Ryehill, the claimant, and the late Lord's natural son, appeared before the Lord Chancellor, Lord Binning, Sir John Preston, and Sir William Oliphant, when intimation was made of the King's award, and the parties mutually required to name some persons "to whose judgement they wald stand in this mater." This was assented to by the heir-male; but his opponent, pleading his minority, declined giving any consent in consequence of the absence of his curators, and thus proceedings were stayed for a time.

Subsequently a new attempt was made to bring matters to a bearing; but, by a letter, dated 9th October 1616,† the King was informed that the objection of minority was still urged, and it was suggested that nothing should be done until the majority of the claimant.

Ultimately the competitors seem to have settled the dispute amongst themselves; the heir-male in all probability paying a considerable sum for the renunciation. On the 15th July 1619, William, the natural son, was served heir of taillie to his father in the barony of Sanquhar. This was probably to enable him to convey the barony of Sanquhar to his opponent, who obtained a charter from the Crown thereto, upon the 20th of July following.

William Crichton eventually became Lord Sanquhar, and was afterwards created Viscount of Ayr, 2d February 1622, and Earl of Dumfries, 12th June 1633. What became of the natural son is unknown.

* Melros Papers, p. 132.

† Melros Papers, p. 265.

I.

JAMES VI. TO THE LAWYERS CONSULTED ON THE CLAIMS TO THE SUCCESSION OF ROBERT LORD CRICHTON OF SANQUHAR.

Now that our leafour hath ferued vs to reade ouer, and a litle to conſider thoſe enformations which yow ſente vnto vs anent the eſtate of the queſtion of the right of the lordſhip of Sanquhair, together with your opinions thereupon, it hath bred in vs both a greate admiration, and a greate difficulty: admiration of yow, that being to our knowledge, four of the moſt principall in all Scotlande, both for vnderſtanding in point of learning, and for experience in pointe of practique, of the lawes and cuſtomes of that our kingdome, and hauing bene ſo earneſtlie adiured by vs to ſette doune trewlie and afoldlie your opinions upon this queſtion, withoute reſpecte to any whoſoeuer, ſaue onlie to God and vs, yee ſhould, notwithſtanding all this, be iuſt and euen deuided in contrarie opinions therein. Though wee proteſte in Godis preſence, for ought that wee can ſee, wee can finde no ſuch intricacie in the queſtion; for, in our iudgement, wee finde nothing in the ſtate of this cauſe which is not verie eaſie to be cleared eyther by the expreſſe law or ordinarie practique of that our kingdome; and what greate difficulty yee haue putte vs into by your diſagreement in opinions, laying ſo the wholle weight of the buſines vpon our ſhoulderis onlie, yee may eaſilie iudge, ſince vpon the one parte wee haue alreaddy ſo far medled in this buſines, and vpon the other this queſtion doeth ſo propperlie belong to our calling, and the princelie care wee ought to haue to ſee the ancient and noble houſes of that our auncient kingdome beſtowed and ſettled according to juſtice, together with the preſeruation of the infinite loſſe of tyme and expenſſe to the pretenders, if that ordinarie and ſlow courſe of juſtice ſhould be ſuffered to runne on to the certeyne ouerthrow of both partyes. Notwithſtanding whereof,

wee haue taken a princelie refolution to go through with the bufines, and hauing onlie before our eyes the trew refpecte of iuftice to giue euerie one his owne according to the lettre and trew intent of the law, we are refolued to giue fuch determination therein as wee fhalbe aunfwerable to God and our confcience, and as we hold our honour deare vnto vs in all ages to come. Not that hereby wee intende that rigour, that the one party fhall haue all, and the other receaue no fatiffaction, but onlie that, according as wee wrote vnto yow, the right of fucceffion may be decerned onlie to belong to the one party, and the fatiffaction for the other claime may be made vnto him at the fight of frendes, and becaus wee wilbe loth to proceede to the concluſion of a caufe of fo greate weight without full information of euerie point whereupon any queftion may be made, wee do hereby require yow, that hauing affembled yourfelues together, ye call the procutouris of both partyes before yow, and now for the laft tyme afke them if they haue any further to alledge on eyther fide, as alfo that yee will fende vnto vs the innouate contracte, together with the Lord Sanquhair his affignation, which is all written with his owne hand, wifhing yow once againe to remember how ye are employed in this cafe by vs, and for vs, and not by any party; and therefor, if yee can yet agree better vpon the queftion amongft your felues, vpon the fending vp of thofe thinges vnto vs, it wilbe the more for the reputation of the one halfe of your nomber, for verity muft be but vpon the one fide. Wee are likewife defirous to haue your cleare opinions once againe vpon thefe two queftions; 1. Whether, by neceffity of the law or actes of parliament of Scotland, euery contracte of this nature muft eyther be fealed or regiſtrat; the other, [2.] Whether it be a thing of neceffity or not, according to the practique of Scotland, that vpon the raiſing of a fummones of redemption, a wakening muft be within yeare and day thereafter. Thus expecting your aunfwer hereunto with all conuenient expedition, and giuing yow hereby notice of our approbation of your ioynt opinion, that the queftion anent the late Lord Sanquhair his efcheate is not fitte to receaue an ordinarie tryall at law.

II.

AWARD BY JAMES VI. ON THE CONTESTED SUCCESSION OF ROBERT LORD CRICHTON OF SANQUHAR.*

According to that fatherlie care which doeth euer poſſeſſe vs, for foreſeeing and preuening of any ſuch inconuenientis which are likelie to ariſe amongſt our ſubiectis, tending eyther to the diſturbance of our peace, or the vexation of any of them by longſome, intricate, and chargeable pleas in law, hauing latelie foreſeene what longſome and chargeable plea was like to folow vpon that intricate queſtion, of the right to the lordſhip of Sanquhair, betwixte William Crichton, ſone naturall to the late Lord Sanquhair, on the one parte, and William Crichton of Ryehille, neireſt heir male to the ſaid vmquhile Lord Sanquhair, and Alexander Seaton for his intereſt as [tutor?] to [Crichton?] of Carco, on the other parte, wee tooke occaſion to deale earneſtlie at diuers times, both with William of Ryhille on the one parte, and the curatouris of William, in regairde of the minority of his ſaid naturall ſone, on the other parte, that they wold be contented to enter in ſome courſe of freindlie compoſing of that greate queſtion, which otherwiſe was like to prooue the bane and conſumption of the eſtates of both the ſaid partyes; whereupon, after our long and earneſt inſiſting with both partyes, it came to a freindlie ſubmiſſion betwixte them, but withoute any ſucceſſe; for before the ſubmiſſion could be fullie perfected, it was quite broken of againe, ſo as that childe was as ſoone deade as borne. Hereupon, we hauing ſtill the ſame intention (for eſchewing the apparent ruyne, not onlie of both the ſaidis partyes, but euen of that noble and ancient houſe of Sanquhair, which had ſo long and worthilie ſerued our predeceſſoures), did renew againe vnto the ſaid William Crichton of Ryhille on the one parte, and to our truſty coſen and counſellour the Lord of Roxbrough, being one of the vmquhile Lord Sanquhaires [ſone natu-

* It is right to mention, that the blanks here occur in the original draft, and the words in *italics*, p. 205, are additions in the handwriting of James.

ral curatours?] on the other parte, our princelie care and earneſt deſire, to haue the ſaid buſines in ſome freindlie maner accomodated; whereupon, the ſaid William Crichton of Ryhill for his owne parte, and for the parte of Alexander Seaton, promiſed faithfullie vnto vs, to ſubmitte the amicable deciſion thereof to our ſelfe, after wee had receaued the full information of the wholle ſtate of the cauſe from ſuch iiij. of our counſell and ſeſſion as wee ſhould deſigne and name for that effecte, lyke as our ſaid coſen the Lord of Roxbrough gaue vs good hope, that all the curatouris of the ſaid William Crichton (he being but minor) wold alſo giue their aſſent thereunto; conforme whereunto, wee hauing named our C[hancellor], S[ecretary], P[reſident] of our Colledge of Juſtice, and A[dvocate], as four indifferent men choſen by vs, to try and examyn the wholle eſtate of that queſtion, and ſende the reporte thereof vnto vs, there was a ſpeciall writte, &c.,

which being ſeene and maturelie conſiderit by vs, and hauing the feare of God before our eyes, withoute any reſpecte of partyes in this caſe, as wee ſhall anſwer to him at that greate day of accompte, onlie hauing reſpecte to the ſtricte bearing of our law in this caſe, and the verie trew point of the right, according to the trew meaning of the contracters, viz. the vmquhile Lord Sanquhair on the one parte, and vmquhile Crichton of Carco on the other parte, wee finde that the ij. mayne rightes, wherewith the ſaid vmquhile lordis ſone naturall doeth cloeth him ſelfe are firſt, the decreite of redemption of the landis of Sanquhair from the ſaid Crichton of Carco, dated ; and nexte, the innouate contracte made betwixt the foreſaid partyes in the , wherein the wholle former contracte of the date of is repeated, and of new confirmed, together with two new articles added thereunto: which innouate contracte gaue the foundation to the ſaid vmquhile Lord Sanquhair to make that aſſignation, all written with his oune hand, to his naturall ſone, whereby he claimeth the ſaid lordſhip of Sanquhair. Firſt, then, as to the decreete of redemption, wee finde it apparentlie inſufficient, both in forme and ſubſtance; in forme, in regarde that wee finde no extant teſtimonie of any new wakening maid after the firſt rayſing of the ſummones of re-

demption, for the ſpace of almoſt two yeares thereafter, notwithſtanding, that by the expreſſe lawes and daylie practique of our kingdome, a ſummones of redemption ought not to ly a yeare and a day withoute wakening. But although it be trew, that after the expiring of the ſaid yeare and day, the [Crichton?] of Carcos procuratouris had compeired and obiected this informality, it wold haue vndoubtedlie ſerued for a ſufficient reaſon of caſting that ſummons and libell, yet, in regarde that many informalityes may be committed in a buſines, whereof any one being obiected in tyme, may ſtay the proceding therein, and yet will not all of them ſerue for a ſufficient cauſe of reduction, the turne being once accompliſhed, therefor wee paſſe from that point of informality, to the verie ſubſtance of that decreet and ſentence.

Finding the ſaid decreete and ſentence to be plainlie nulle, in regarde that ij. ſpeciall clauſes, and one generall, conteyned in the former contracte, the date of 27 November 1590, were vnaccompliſhed at the pronouncing of the ſaid ſentence, expreſſelie againſt both the letter and meaning of the ſaid contracte, and ſo much more odious is the cauſe that this ſaid ſentence, ſo defectiue in the foreſaid pointes, was giuen againſt a minor, whereas, by all lawes of God and nations, all contractes that haue relation to a minor receaue their interpretation, and rather inlarged in their favour then diminiſhed. The 3 clauſes in the contracte wee meane, by which were vnſatiffied at the giuing of the decrete, contrarie to the expreſſe wordes of the contracte, were theſe, &c.

ſo as wee can not but pronounce, that as this decrete of redemption was informallie proceded in, wanting a wakening within yeare and day, as it ought to haue had, eſpeciallie being pronounced againſt a minor, and the ſentence giuen for noncompeirance, ſo vpon the other parte, in the ſubſtance thairof, it is all vtterlie nulle, theſe thinges being no way fulfilled before hand, which were expreſſelie ordeyned by the ſaid contracte to be fulfilled, otherwiſe that there ſhould be no lawfull redemption. And whereas, the ſaid late lordis ſone naturall wold turne and inuerte that argument in fauorem, to be rather applied towardis him, in regarde that although the ſaid late Lord Sanquhair, putting his lordſhip in truſt vpon the ſaid vmquhile of Carco, and redemable vpon a reſonable [ground?], did it

but formallie, and for the well and ſafety of his houſe, and not of intention to denude himſelfe effectuallie of the ſaid lordſhip and liuing; and therefor, he thinketh that the heir of Carco ſhould not ſtrictlie ſtand to the wordes of the former contracte, ſince it war hard that vpon ſuch a ground, he ſhould carie away the lordſhip of Sanquhair againſt the meaning of the late lord or his owne grandfather, he offering to performe now, and fatiffie thoſe conditions conteyned in the ſaid contracte. Thereunto wee anſwer, that indeede it were a verie vnreſonable and vnlawfull rigour, to make him that war a righteous heire to the ſaid lordſhip loſe the ſame, and that it ſhould be putt vpon this minor, quite againſt the meaning of the contracte; but as this inualidity were hard and vniuſt (as wee haue ſaid), to be vſed to that intente, that the lordſhip of Sanquhar ſhould go to [Crichton?] of Carco, which neuer any man yet ment, ſo is the ſaid inualidity moſt iuſt and fauorable, in defence of the neareſt and lawfull heir to the late lord. Neyther ought any colluſion, ſuppoſed to be betwixt the ſaid William of Ryhill and [Crichton?] of Carco, make the cauſe leſſe fauourable to the ſaid William of Ryhilles ſide; firſt, becauſe that before that aſſignation came to the other partyes eares, the ſaid William of Ryhill had ſerued him ſelfe heir to the late lord, and lawfullie purchaſt [Crichton?] of Carcos right, which he had bona fide (in reſpecte of the anteriority of tyme) putte in his handes; and ſpeciallie ſeing, that the trew difference betweene an vnlawfull colluſion, and a lawfull and honeſt concurrence amongſt freindis in a iuſte cauſe, ſtandeth in this, that it can not be a colluſion excepte it be to an ill intent, and for defrauding of the lawfull owner or heir; whereas, on the contrarie, it is a lawfull, iuſte, yea, a commendable thing, that freindis of one ſurname, and branches of one houſe, ſhould concurre and ioyne together by all lawfull meanes, to the defence of the lawfull heir in his iuſte right, for it is the like difference betweene an vnlawfull colluſion, and lawfull concurrence of freindes to a good ende, as is betwene the vnlawfull practices and conſultations of trayterous and mutinous ſubiectis, againſt the perſon or ſtate of their natiue king, and betwene the conſulting and concurrence of a kingis ſworne counſellouris, for aduiſing vpon the furtherance of their kinges ſeruice; otherwiſe, any ſuch as before our

coming to this croune, conſulted and concurred of the meanes for the ſafe inthroning of vs here, after the death of the late queene, might be accuſed of making colluſion with vs.

Now, as to the other foundation, whereupon the ſaid late lordis ſone naturall groundis his right made him by his fathers aſſignation, it is the innouate contracte of the date of , and this innouate contracte is all vtterlie nulle, both in forme and ſubſtance: in forme, becauſe that wher as it is expreſſelie ordeyned both in an acte of parliament made in the queene our mothers tyme, the 6 parliament, and in an other to the ſame purpos in our owne tyme, that all inſtrumentis or other kinde of writtes made for giuing of reuerſionis, or bearing and conteyning reuerſionis, ſhalbe eyther ſealed or regiſtrate, otherwiſe to make no fayth; but this innouate contracte is vnſealed in effecte, the ſeale affixed thereunto being of new wax, and vnlike to the olde ſeale, whereof our owne eyes are witneſſes, which falſhoode, whoeuer be the doers of it, was a greate motiue to ſtirre vp our conſideration to take good heed to the buſines, ſo ſoone as it wer plainlie diſcouered that ſuch a trick was played therein, for that made vs eaſilie perceaue, that whoeuer did it ſuſpected the iuſtnes of their owne cauſe, being forced to flie to ſuch vnlawfull helpes, truſting to that of the poet, "Et quæ non foro ſunt ſingula multa iuuant." But ſuch artificiall implementes are onlie vſed for ſupplying of reall defectes, for naturall bewty neides no farde. *To be ſhorte, if a trew ſeale was not needefull, to quhat purpoſe* was a counterfeyte affixed? the actor being lyke to vnderlie both ſhame and danger for it. But whereas the ſaid acte of parliament, in the queene our mothers time, may be thought not to concerne this pointe, the verie wordes thereof hitt right vpon this queſtion, viz., if any inſtrument or any other kinde of writte be made for giuing of reuerſionis, or bearing and conteyning reuerſions, that writing or inſtrument ſhall make no faith, but if it be inſerte with conſente of the partyes in iudgement in the bookis of ſome ordinary iudge. Now, that both the former contracte and this innouate contracte, whereupon wee are now, do conteyne mater of reuerſion in them, no man can doubte; and when it is alledged that this innouate contracte doeth conteyne no mater of reuerſion, becauſe it onlie repeates the former contracte

which conteyned the ſame, and therefor hath it but by way of narratiue or repetition, and not in the owne ſubſtance, the contrarie is manifeſt, for the verie title of it bearing an innouate contracte ſhows plainlie that it is no bare repeater of the former, but a new contracte, adding ij new clauſes which were not in the former, and altering plainlie one; for whereas in the former contracte 10^{m} merkes monie were ordeyned to be payed by the late lord to his ſiſter Margaret, in this innouate contracte 10^{m} lib. ar ordeyned to be payed, in caſe the ſaid lord ſhould happen to die before his redemption thereof, and without heires male begotten of his body, notwithſtanding the ſaid reuerſions conteynes onlie 10^{m} merkes to her, and as if the ſaid ſummes of 10000 lib. had bene firſt agreed vpon and inſerte in the ſaid reuerſion, in place of the 10^{m} marks. Theſe are the verie wordes of the innouate contracte. But if there were no more then the verie ſtile of it, as wee haue already ſaid, it is ſufficient to prooue this pointe; for innouare is ſo far from repetere, nay beyonde renouare, as it rather agrees with antiquare, and ſo no bare repetition. And as for the acte made in our tyme, p. 6, c. 80, anent the ſubſcription and inſerting of witneſſes in obligations and other writtes of importance, which no man denyeth doeth directlie concerne this pointe, wee are ſorie that in the opinion of ſome this acte neyther is, nor ought to be obeyed; for though there be ſome olde and obſolute lawes which are now of no force in reſpecte of the diuerſity and change of tymes and cuſtomes betweene thoſe tymes and ouris; yet wee can not thinke but our labour and the labour of all the ſtates of parliament of ſo late tymes was ill loſt to haue beſtowed ſo much paynes in making of a law for the weill of the common welth, which ſhould neuer be putte in execution, eſpeciallie conteyning nothing, ſo far as wee can finde, but an explanation of the queene our mothers acte. And thus doeth it plainlie appeare that the forme or formality of this innouate contracte is altogether nulle. Now, as to the ſubſtance thereof, it is playnlie therein conteyned that the ſaid Lord Sanquhair ſhall make no aſſigne to his redemption, fayling heires male lawfullie begotten of his body, or his heires male whatſoeuer, over ſuch a one as beareth the ſurname and armes of Crichton. Whether then the ſaid lordis ſone naturall may be admitted as aſſigne without breach of this

condition, there is the mayne queſtion, for clearing whereof, wee muſt reforte to that mayne principle that deſtroyeth equiuocation, a peſte wherewith the Romane Church hath now infected the wholle chriſtian world. The principle is this, that in all bargaynes, contractes, or oathes, the trew interpretation of them is to be taken according to the intention of the party to whome they are made; and this is the definition of St Auguſtine vpon this queſtion. Now, laying this for a ground for barring of all mentall reſeruation and ſuch like falſe trickes, who can think that olde [Crichton?] of Carco, with whome the late Lord Sanquhair made this contracte, did dreame or imagyne at that tyme, that the ſaid lord wold procure his ſone naturall to be rehabilitate, and then make him aſſigne to the lordſhip of Sanquhair? Firſt, this innouate contracte was made the yeare of God 1596, eightene yeares ago, at which tyme this Wm Crichton, naturall ſone to the late Lord Sanquhair, was neyther gotten nor borne, as wee take it, ſo as the ſaid [Crichton?] of Carco could neuer dreame of him at that tyme. Nexte, it doeth plainlie appeare that this [Crichton?] of Carco being a branch of the late lordis houſe, and as it ſhould ſeeme, one of the diſcreeteſt and wiſeſt gente of the ſaid lordis kin, and moſt truſted by him, had ſuch a care of the ſtanding of his cheefes houſe, doubting his cheefes youth and raſhnes, who then was much giuen to idle voyages and gadding abrode, and therefor finding the leſſe apparence in him of ſettling himſelfe at home, and intention to marie, he did carefulle prouid by this contracte, that fayling the ſaid lordis heires male of his body, that ancient lordſhip might not go away to ſome ſtranger; whereupon he moued the ſaid lord ſtrictlie to binde and obliſh himſelfe, that he ſhould make non to ſuccede him in his lordſhip, by any aſſignation of his, but ſuch a one as ſhould beare the ſurname and armes of Crichton, which he coulde not bot meane (as the verie worde of bearing is ſette doune in the preſent tyme in the contracte), but by ſuch a one as ſhould beare that ſurname and armes, by a lawfull diſcent, otherwiſe he might make any man in the worlde, whether Scòtteſman or ſtranger, to beare that ſurname and armes by adoption; for a baſe ſone hath no other right then an adopted, and ſo it had bene a needleſſe reſtriction in deede, for no one man in the wholle

worlde had bene therby excepted if he had procured our rehabilitation, as he did in this cafe, which is cleane contrarie to the prouident care which [Crichton?] of Carco had, who, to expreffe it the more, made another fpeciall prouifion, that the whole body of the faid lordis affignation fhould be all written with his owne hand.

Thirdlie, notwithftanding of the late lord his writing this affignation all with his own hand, fulfilling in that pointe that clauſe of the contracte; yet could not this haue bene avaylable to his faid naturall fone, as being in perfon not capable to haue enioyed it, if our rehabilitation had not preceded, the trew meaning whereof muſt be taken frome vs, ſince eius eſt interpretari cuius eſt condere; but wee affure ourfelfe that no honeſt man will euer thinke fo vnworthilie of vs, as that euer wee wold willinglie and wittinglie, by any deed of ouris, haue preferred a bafe borne, a ſtranger, to the righteous heir male of fo ancient a houſe; for our intention in granting the rehabilitation was onlie that according to that vfuall grace which wee dayly fhow to others, the faid lordis naturall fone might be thereby made capable to inherite, and leave to his poſterity fuch thinges as his father might, by his monie or otherwiſe, lawfullie purchaſe vnto him, withoute defrauding any other man of his naturall and lawfull birthright; for rehabilitations, as graces, ought neuer to be extended or interpeted to the hurte of a third perſon, for it can not be propperlie called a grace towards one, when it tendeth as much to the hurte of another. Wee will not here diſcourſe (as being a needleſſe thing) how far kinges may, or vſe to extende the rehabilitation of baſtardes in making them capable to beare the furname and full armes of that houſe from which they are deſcended, but wee are fure it neuer was our meaning ſo to rehabilitate the fone naturall of the late Lord Sanquhair, as thereby to make him his full ſucceſſour; beſides that, in our faid rehabilitation, wee haue no wayes giuen him the full armes of the Chrichtones; neyther will any man alledge that euer ſuch a ſuite was moued vnto vs, and how auerſe wee haue euer bene, by our own inclination, from ſuch vnlawfull preferring of baſtardes, our Βασιλικον δωρον will beare witnes. And thus, now, wee haue made it more then cleare, as wee hope, that this innouate contracte is abſolutelie nulle, both in the forme and ſubſtance thereof, firſt wanting ſome

of the neceſſarie formalityes in the making thereof, as the ſeale or regiſtration, and nexte being abſolutely voyde in ſubſtance, the aſſignation thereupon being made to a perſon vtterlie incapable thereof, as againſt the trew meaning of the ſaid contracte. But it is replyed by the ſaid ſone naturall, that whateuer inualidity be in the ſaid decreete of redemption or innouate contracte, yet is the ſaid William Crichton of Ryehill bound as heir to the late lord to warrant the ſame, which wee repell, for 3 reaſons; firſt, becauſe wee can ſee no ſuch title nor band conteyned or mentioned in the aſſignation; ſecondly, the lordis naturall ſone not being capable to enioy the ſaid aſſignation, the ſaid William Crichton can not be bound to warrant a deed which is of it ſelfe vtterlie vnlawfull, in reſpect of the partyes vncapablenes to enioy it. And, thirdlie, this can not preiudg Seaton's right in formality of law.

Hauing then ripelie aduiſed and deeplie conſidered all the allegations on both ſides, as they were ſent vp vnto vs by thoſe 4 lordis of our Colledge of Juſtice, according to our direction giuen vnto them, wee, according to the power giuen vs by bothe the ſaidis partyes, finde and declare, &c. and in caſe of any informality in wordes which may haue eſcaped vs in ſetting doune this decreete or ſentence contrarie to our mynde, in regarde we had the helpe or priuity of no creature to the penning thereof, but our ſelfe, only we therefor, by thir preſents, giue power and direction to yow, our aduocate, to adde, diminiſh, or alter any wordes therein, ſo it touch nor alter nothing in the ſubſtance thereof, but only for the bare formality in law; which addition, diminution, or alteration, being vſed by yow in this reſpecte only, wee will and declare to be als firme, ſtable, and authentique, as if it wer all done with our owne hand.

LETTERS BY KING JAMES VI. TO THE COUNTESS DOWAGER OF ANGUS.

Madame as I haue na new occasion sa haue I na new thinge to write at this present except á new
wout in ane auld horne as they saye thairby to renea unto you that gubilke geuer wishe to be
new in youre breist gubilk the performance thairof I can use na other argumeneis
unto you then I used at my last speiking with you & for trust I neid not to repeat
the same sen I take you to be als willwilling in that matter as euer ye was & in a word
as he merites gubaise bloode, gubaise affection, & gubaise credit with me I hope be
nathing inferioure to any that can suite you & in á thing ame I suire he ouir passis
thairme all thair gubaire in other fold is bestowing ame but á consentair or as-
sistaire in this ame the onlie actoure solistaire & bestowaire gubom as I haue
out of my awin hedl beine willing to bestow upon you ris sa neid ~~ye haue~~ I not to
to dowte I will aduance him to sicc degree as that place merited Madame as my
sonnet sayes ame & man contineu best freind to you burth sen sa is for all oth-
ye neid the les to caire ye are cum to parfite age & can gouerne youre self
now sen ame sa constant in this maitter & his affection sa laisting I look
the constancy sall not in laike at the thridd hande gubilke eth-r wayes as
godd forbidd this maitter being sa publict lie brokk in surthas ie is ~~to~~ alde
~~to~~ turne to my sthrne, his sk aith & youre small honoure. fair weill

he that will & can best in this cause

James R.

LETTERS BY KING JAMES VI. TO THE COUNTESS DOWAGER OF ANGUS.

Alexander Lindsay, fourth son of David, ninth Earl of Crawford, was an especial favourite of James VI., who created him Lord Spynie, in redemption of a written promise given by him while they were in Denmark. This document, autograph of his Majesty, and which has been preserved by Sir James Balfour,* is in the following terms:—

"Sandie, quhill youre good happe furneis me sum bettir occasion to recompence your honest and faithful seruice, utterit be youre diligente and cairfull attendance upon me, speciallie at this tyme, lett this assure you, in the inuiolabill word of youre awin prince and maister, that quhen Godd randeris me in Skotlande, I sall irreuocablie, and with consent of parliament, erect you the temporalitie of Murraye in a temporall lordshipp, with all honouris thairto apparteining; and lett this serue for cure to youre present disease. From the Castell of Croneburg, quhaire ue are drinking and dryuing our in the aulde maner.

"J. R."

The following indorsation is on the back:—"The Kingis Maiesties lettir and promeis in verbo principis, all wreittin with his Maiesties awin hand, at Croneburgh in Denmark, in favors of Alexander, Lord of Spynie, anent the erection of the rents of the Bishoprick of Murray in ane temporall lordschip."

His Majesty next looked out for a suitable wife for the newly created peer, and he fixed on Jean, daughter of John Lord Glamis, relict of Robert Douglas, younger of Lochleven, and Archibald, eighth Earl of Angus, who died in 1588. The two autograph letters of the King, from the Balfour Collections, are addressed to this lady, who took Lord Spynie for her third husband, and by him had two sons and two daughters. These letters have no dates, but they must have been written before the 17th of April 1593, when a charter from the Crown

* In implement of this promise, his Majesty erected various lands into the free barony of Spynie, and created his favourite Lord Spynie.

was passed of the lordship of Spynie, in favour of Lord Spynie, and Dame Jean Lyon, Countess of Angus, his wife, and the longest liver in fee, &c.*

Lord Spynie, in consequence of an arrangement with the Bishop of Murray, subsequently surrendered his right to the rents and emoluments of the bishoprick, whereupon he received the following letter from the King, approving of what he had done, and promising a continuance of his favour.

"James R.

"Rycht trustie and weilbelowit cousinge and counsellour, wee greit ȝow hairtlie weill.—Wnderstanding by the counsellis letters, and ȝour awin to ws, togidder with the Bishope of Murrayis awin declaratioune, quhow willinge ȝe ar to surrender ȝour rycht of that bishoprik in our handis; quhilk, as we can nocht account bot acceptable to ws, sua haiff we vreittin to the Erle of Dunbar our mynd theranent, for ȝour satisfactioune; only we desyre ȝe will be contentit withe the termis of payment, and sen ȝe haiff begun weill, let the end be ansuerabill to the beginning, quhairof ȝe sall haiff na occasioune of repentance; the bypast experience of our favour may assure ȝow also heirefter, that ȝe sall be na losser at our handis. This trusting ȝe will forder our service and finische this vork, we bid ȝow hairtlie fairweill. From Valtoune Abbay, the seventeenth day of December 1605.

"To our trusty and welbeloued Cousin
and Counsellor, the Lord of Spynie
there."

The Earl of Crawford having assassinated his kinsman, Sir Walter Lindsay, Sir David Lindsay of Edzell, nephew of Sir Walter, collected an armed force to revenge the murder: the parties met on the street of Edinburgh, in July 1607, when Lord Spynie interposing, was accidentally slain by Edzell.

* See Wood's edition of Douglas, vol. ii. p. 517.

I.

Madame, althocht the ſtraitneſs of this tyme ſa occupies me uith affaires as I can neuer obtayne ane ydle houre, yett in the nerrie middes thairof, I ame compellid in haiſt to uritte to you thir feu lynes, that tyme be not tint on any hande. According to my promeis, I am reſolute to aduance this mann of myne, quhome for I haue nou ſa lang delt with you, to the ranke that ye uas laſt joyned uithall, that ye may be matchid uith that ranke quhilke ye preſentlie poſſeſs, and this uill I do uithout faill at the tyme of the ſolemnization of my mariage, as the propreſt tyme for ficc ane action; and for prouyding him of a liuing correſpondant to that eſtait, I promeis you I ſall omitt na poſſibilitie of tyme for doing the ane als ueill as the other, quhairof the parforming of this firſt ſall be a certaine pledge. Nou, Madame, ſen I ame thus uayes to play my pairt on the ane ſyde, I looke ye uill not tyne tyme on the other pairt, as I haue allreaddie ſaid, and thairfor I man maiſt earniſtlie requeſt yow, gif ye uill ſa farr obleis me, as to teſtifie that ye do all this for my ſayke, as ye urett unto me, that then ye uill preſently ſubſcryue the contract, and cauſe proclaime the bannis; quhilke thing, as I aſſure my ſelf ye will for my ſayke at this tyme parforme, ſa may ye laye full accounte, that as I haue oft promeiſit unto you, I ſall euer remaine beſt freinde to you, baith be your patrone in all youre adoes, and reuenger of all tortis that any darr offer to ather of you; and thus in haiſt I bidd you fair ueill.

Youre beſt freinde,

James R.

To our right traiſt and weilbelouit, the
Counteſſe of Angus douarier.

II.

Madame, as I haue na new occaſion, ſa haue I na new thing to uritt at this preſent, excepe a new tout in ane aulde horne, as thay ſaye, thairby to reneu unto you that quhilke I euer uiſhe to be neu in youre breiſt quhill the parformance thairof, I can uſe na other argumentis unto you, then I uſed at my laſt ſpeiking uith you, and I truſt I neid not to repeat the ſame, ſen I take you to be als ueil uilling in that maitter as euer ye uas, and in a uorde, as he merits quhaiſe bloode, quhaiſe affection, and quhaiſe credit with me, I hope, be nathing inferioure to any that can ſuite you, and, in a thing ame I ſuire, he ouirpaſſis thaime all, that quhaire in other ſolkis beſtowing, I ame but a conſentair or aſſiſtaire, in this I ame the onlie actoure, ſoliſtaire and beſtouaire, quhom, as I haue out of my auin veal beine uilling to beſtou upon youris, ſa neid ye not to doute I uill aduance him to ſicc degree as that place meritid. Madame, as my ſonnet ſayes, I am, and man contineu beſt freind to yow, baith ſen ſa is for all otheris, ye nëid the leſs to caire, ye are cum to parfite aage, and can gouuerne yourſelf, now, ſen I ame ſa conſtant in this maitter, and his affection ſa laiſting, I looke the conſtancey ſall not inlayke at the thridd hande, quhilke otheruayes, as Godd forbidd, this maitter being ſa publicklie brokkin furth as it is, wald turne to my ſkorne, his ſkaith, and youre ſmall honoure. Fair ueill.

He that uill and can beſt in this cauſe.

James R.

Indorſed:
" The Kings Maieſties lettir anent
the Lordſhip of Spynie."

LETTERS OF THOMAS LORD ELLESMERE,

LORD HIGH CHANCELLOR

OF ENGLAND.

I.—LORD CHANCELLOR ELLESMERE* TO KING JAMES VI.

October 10, 1608.

My moost Gracious Soueraigne,

Accordinge to your gracious pleafure and commandement, I prefume to prefent to your maieftie fomwhat touchinge prohibicions. I wotte not what to calle yt, but fure I am, whatfoeuer it ys, yt is not fitte for your maiefties viewe, nor to approche your facred prefence; yet I hope myne obedience wylle obteyne pardon for this my bouldenes.

I am no nouelliſte, and yet I muſt diſtinguiſh of novelties. There is nouitas innouationis, and that I doe alwayes ſuſpecte and feare, and wylle neuer folowe, for I am no Puritane: and there is nouitas renouationis, and that I doe affecte and reuerence, and am perſuaded quæ prima veriſſima, for I am no Papiſte; and therefore I houlde that the fureſt and trueſt tryall of this queſtion, wyll be by examinynge how it hath bene originallye, and the true auncient and allowed reaſons for the fame, before this newe breache and invndacion was made, which (as your maieſtie may perceiue) ys the marke I ayme at. Yet whatſoeuer myne opinion be, yt is with a ſaluo meliori juditio, and ſo no hæreſye; for when I ſhall be better inſtructed, I wyll wyllingelye recante. But interim liberaui animam meam.

Now, by your maieſties fauour, I wyll leaue the oulde fages, which haue to deale in this buſineſſe, and wylle take ſome tyme to intertayne my newe acquayntance, the Poſt nati, whoſe toungues (I am ſure) haue not yet learned to ſpeake otherwyſe then theye thynke: neither wyll I, in

* Lord Chancellor Ellesmere was the natural son of Sir Richard Egerton of Ridley, and rose to the high office he held by his own exertions, altogether unaided by his father. On the 7th November 1616 he was created Viscount Brackley; but he did not enjoy that title long, as he died on the 15th of March following, and was buried at Doddleston, in Cheshire. From him the Dukes of Bridgewater were descended.

theyr behalfe, although fome perhappes accompte me a litle partiall for my new freindes.

So, mooſt humbly fubmittinge my felfe and this fomwhat (yf it be any thinge) to your maieſties royall and facred judgement, which is fuch in all thinges, as, the more I obſerue it, the more I admire yt, I praye God to bleſſe and proſper your maieſtie with all heavenlye and worldelye felicitye.

Your Maieſties mooſt humble and faythfull
fubiecte and fervant,

T. Ellesmere, Canc.

10 Octobris 1608.

To the Kingis mooſt excellent Maieſtie.

II.—LORD CHANCELLOR ELLESMERE TO KING JAMES VI.

November 28, 1608.

Most Gratious Soueraigne,

I have gathered out of my ſcribled and broken papers, that which I ſpake in the caſe of Poſt nati, and have ſett it downe faithfully and plainly, and as nere as I could in the ſame wordes I deliuered it, without enlarging or diminiſhing. The forme and method is rude and plaine, for beeing myne, it can nott bee otherwiſe. Theſe legall diſcourſes bee harſhe and vnpleaſant, and I am ſure none worſe or more to bee miſliked then this of myne. Your majeſties gratious pleaſure and commaund is my warrant both for that I did ſpeake, and for this which I have now written; for, if I durſt have diſobeyed, I would haue vſed no more wordes but theſe, *I concurre in opinion with the Judges;* and of that which I did ſpeak, I would not have committed any thing to writinge,

but either haue dedicated my waſt papers, *blattis et lineis*, or have ſacrificed them to Vulcan. I can nott but condempne myſelf for offending in both; yet neceſſity, impoſed vpon mee by your maieſteis commandement, pleadeth for mine excuſe, and importuneth your highneſſe pardon. If it ſhall now pleaſe your maieſtie to condempne this to perpetuall ſilence and oblivion (ſithence there is already an epitome publiſhed in print, which I wiſhe maie ſatiſfie all men*), I ſhalbee freed from criticall cenſurers, and will thinke myſelf happie, that in my deſire to obey and to doo good, I have done no harme; eſpecially in this caſe, which I haue allwaies taken to heart, as beeing a principall part of the bleſſed and happie Vnion. But howſoever it bee, pardon, I beſeeche you, my moſt gratious ſoveraigne, mine ignorance and errouris, accept my fidelitie and moſt humble obedience, and lett me live and dye in your maieſteis favoure, which is to mee, in this life, inſtar omnium: and I praie God to bleſſe and proſper your maieſtie with eternall felicitie.

Your Maieſties moſt humble and faithfull ſubiect
and ſervaunt,

T. Ellesmere, Canc.

28 Nouembr 1608.

To the Kings moſt excellent Maieſtie.

* His speech, in the Exchequer Chambers, touching the *Postnati*, printed at London, in 4to. The *Postnati* were those subjects born after the death of Elizabeth, who, by the Judges, were held to be naturalized in either kingdom. The *Antenati*, whose birth preceded the accession, remained in their original situation of aliens.

III.—LORD CHANCELLOR ELLESMERE TO JOHN MURRAY, ESQ.*

August 5, 1614.

Sir,

Vpon Wednefdaye laft, the Lord Chief Juftice Hobarte called vpon me vnexpected. I was gladde to tak any opportunitye to remember your bufines. I toulde hym, that his majeftye was nothing fatiffyed with his anfwere, and commanded me to remember what I related to his maieftye when he called him to the place of chief juftice. I toulde hym further, that being thus charged, I fhewed his maieftye the paper of his owne hande wrytinge, and that when his maieftye had perufed yt, his highenes fayed in fome earneftnes, he can not, nor fhall not, goe back from this. Hervpon I vfed the beft reafons I coulde to aduife and perfuade hym to conforme hymfelfe, and I fynde his anfwere fuch as I can not fufpecte but he meaneth well, and I doubt not but when his maieftye fhall be pleafed to fpeak with hym, he wyll applye hymfelf to effecte that defire, the one waye or the other.

In this you fynde nothing but my care to be towards you, an honeft frende, and other newes I can not fende you. But for this I defire to heare from you as often as you can, the newes of the good health and well doing of my mooft gracious maifter, the comforte, vnder God, of my age and lyfe: and fo, with my hartie commendacions, I reft

Your loving and affured freinde,

T. Ellesmere, Canc.

At York Houfe, 5 Auguſte 1614.

* Afterwards Viscount Annand, 1623–4, and Earl of Annandale, 13th March 1624–5.

Yf any good occaſion, and convenient tyme and opportunitye maye ſerue you to remember hym that deſerues ſo well as, of his ranke, I know none better (you know whome I meane), you ſhall doe that which is fytt for one in that place, and good ſeruice to his maieſtye; and for one more complete every waye then bothe they that helde latelye the place now voyde. But, eor regis in manu Domini; and ſo I leaue yt.

To my very loving frend John Murray,
eſquiour, of his Maieſties Bedehamber.

IV.—LORD CHANCELLOR ELLESMERE AND THE DUKE OF LENNOX TO KING JAMES VI.

December 7, 1615.

It may pleaſe your moſt excellent Maiestie,

By lettres from mee the Chaneellor, and the Lord Chief Juſtice, dated the 4 of this inſtaunt, wee ſignifyed vnto your maieſtie, what the Earl of Somerſet deſired, concerninge the aeceſſe of the Lord Knollis and Lord Hay vnto him, for ſome matter which hee thought fitt to bee communicated to your maieſtie, which, as hee ſayde, concerned not the criminall parte of the eauſe for which he was reſtrayned.

In aunſweare whereof, your maieſtie was pleaſed to ſignifie by mee the Duke of Lenox to the commiſſioners, and by reaſon of the abſence of the Lord Zouch, beinge in your maieſties ſervice, in the Cinque Portes, and the Lord Chiefe Juſtice indiſpoſition of health, was only communicated to mee, the Chancellor, that the Earl of Sommerſett, by the Lieutennaunt of the Tower, ſhould bee charged from your maieſtie to imparte vnto vs, and the reſt of your eomiſſioners, what his deſire was to make knowne to the Lord Knollis and the Lord Hay, to be communicated to your maieſtie, whether the ſame doth eoncerne the criminall or

the ciuill parte of the cauſe, for which hee is reſtrayned, directly or indirectly; which your maieſties pleaſure beinge accordingly given in charge to the Lieutennaunt by vs, the Chancellor and Duke of Lenox, the Lieutennaunt the ſame eveninge, beinge the 6 of this preſente, ſignifyed the ſame vnto the Earl of Sommerſet, and the next morneinge, the Earl required the Lieutennaunt to retorne this aunſweare vnto vs; That the principall matter hee was defireous to imparte to the Lord Knollis and Lord Hay, to bee by them comunicated to your maieſtie, doth in noe ſorte concerne the matter for which he is reſtrayned, whereof his purpoſe was not to ſay anie thinge, but what by occaſion of ſpeech offred, hee might bee moued to ſpeak; which beinge of litle mom[ent], was . . . . . .* vnto him to vnderſtaunde the ſame; but beinge as before, very readie, in all humblenes, to obey your maieſties pleaſure, if I the Duke of Lenox, beinge one of the comiſſioners, would come vnto him, hee woulde freely imparte vnto mee, what hee conceaueth hee might haue ben occaſioned to ſay to the Lord Knollis and Lord Hay concerninge the cauſe for which hee is reſtrayned, and, further, giue me the Duke reaſounable ſatiffaction for the acceſſe of the Lord Knollis and Lord Hay vnto him concerninge the principall matter which by them he would comunicate to your maieſtie, or otherwiſe would adviſe of ſome courſe with mee the Duke of Lenox, whereby your maieſtie may be informed thereof, whereof wee thought it our duties to advertiſe your maieſtie: And ſoe, with offer of our prayers vnto Almightie God for your maieſties lounge and happie raigne over vs, wee reſt

Your Maieſties moſt humble ſervaunts and ſubiects,

T. Ellesmere, Canc.
Lenox.

December 7, 1615.

To the Kinges moſt excellent Maieſtie.

* A line is here lost by the unskilfulness of the binder of the volume.

V.—LORD CHANCELLOR ELLESMERE TO JOHN MURRAY, ESQ.

August 2, 1616.

Sir,

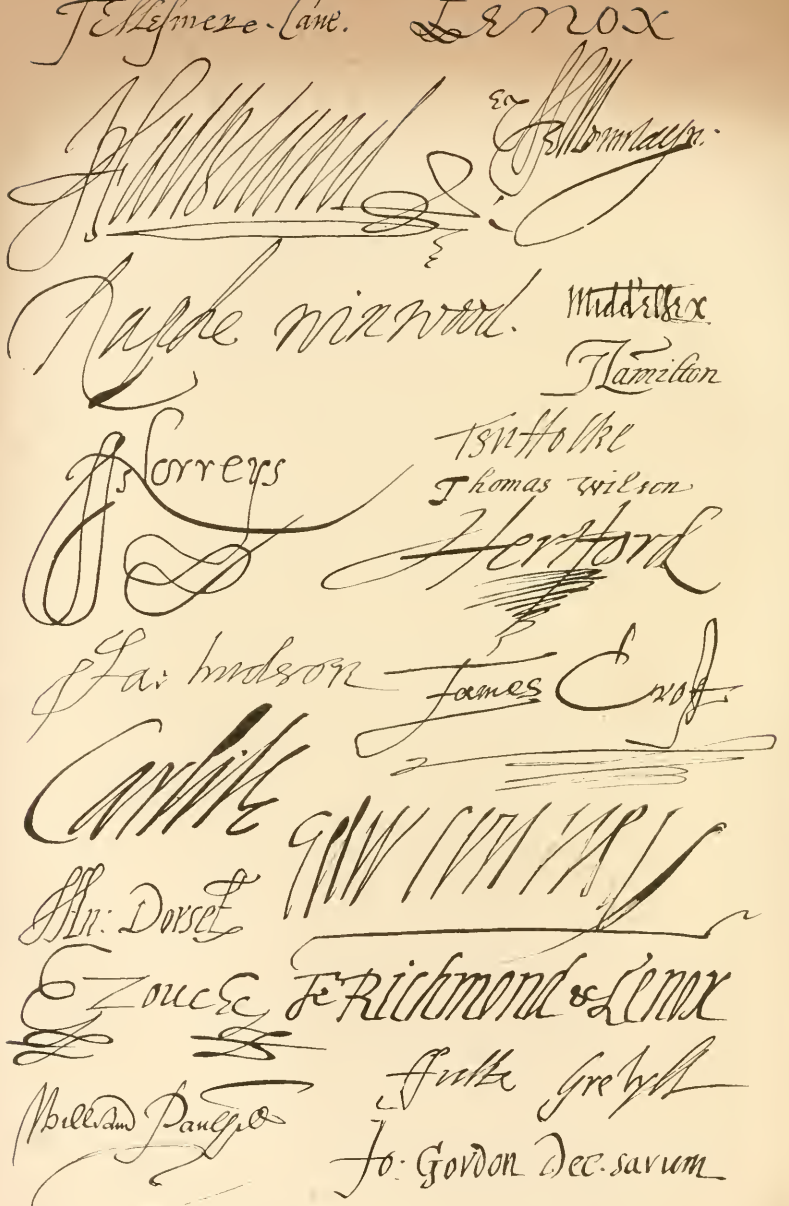
Your letters did alwayes bringe me ſuch comfortable newes, as I can not ſufficiently acknowledge my thankfulnes vnto you for the ſame, and ſo dyd your laſt of the 29 of Julij. I praye you contynue this fauour to me. I know yt can not but be great contentement to you to wryte; and it is to me exceiding joye and comforte to heare, of the good health and proſperous ſtate of our mooſt gracious maiſter. For your ſelfe, I haue hearde nothing that might moue me to haue the leaſt miſconceytte of any thing you haue done or ſayed touchinge me, and, therfore, I cleere you of yt. And for your further ſatiffactioun, I aſſure you yf I had hearde any ſuch thinge, I woulde not haue beleiued yt, for I thynk there is ſuch honeſt correſpondence betwein you and me, as that no light ſuſpecte can ſettle in eyther of vs. And ſo, praying for the long contynuance of his maieſtyes health and happines, I am your lovinge and aſſured honeſt frende,

T. Ellesmere, Canc.

York Houſe, 2 Auguſti 1616.

To my verie loving freind, Mr John Murray, of his Maieſtyes Bedchamber, att the Court.

LETTERS AND PAPERS
RELATIVE TO THE HISTORY OF GREAT BRITAIN
DURING THE REIGN OF JAMES I.
FROM THE BALFOUR MSS.


T Ellesmere-Cane.
Lennox
Middlesex
Hamilton
Suffolke
Thomas wilson
Hertford
James Croft
Carlile
Richmond & Lenox
Grey
Jo: Gordon Dec. sarum

I.—THE EXAMINATION OF WILLIAM PAULHILL, TAKEN THE 13TH DAY OF NOVEMBER 1614.

Saythe, that on ſhipbord at Civita Vechia, 8 Junij 1613, this examinate and one Faulkner, at ſupper tyme, had ſpeeches about cuſtomes that they paid in Italy, and what they paid in England, and compared the cuſtomes of the kinges tyme with the cuſtomes paid in England in Queene Elyzabethes tyme: and this examinate affirmed that cuſtomes nowe in England in the kings tyme are more by the one halfe then the[y] were in the queenes. Whervpon, ſaid Faulkner, you meane then by this, that the king was an oppreſſor. This examinate anſweared this was not his meaning, but ſo much more was paid ouer that they were wont to paye. After this they fell into further ſpeaches, and the ſaid Faulkner called this examinate, traytor, and this examinate defyed him for fayeing foe, and replyed that he was as honeſt a man as he or any man in England or Scotland. Then ſaid Faulkner, you make yourſelfe as honeſt as the kinge. Nay, ſaid this examinate, he that is as honeſt a man as any is in England, is as honeſt as the kinge.

This examinate denyeth that he ſaid that any marchant in London was able to buye all Edenboroughe, but ſaid that ſome foure marchants of London dealt for as much marchandize as all Edenboroughe dyd.

This examinate denyeth that he made any ſuch compariſon with the king, to ſaye he was as honeſt a man as the kinge; only he vſed the words which are before ſett doune.

Denyeth that he vſed any ſuch ſpeach, viz. that ſince your King of Scotland came to England with his begarly Scotiſh men, that he and they together had oppreſſed and vndon all London; only he called the ſaid Faulkner beggarly Scotiſhman.

And vtterly denyeth that he affirmed the ſame wordes to be ſpoken by him, and that he would abyde by them, or would hervpon have fought with the ſaid Faulkner. But it is true the ſaid Faulkner would haue made his quarrell to be for the kinges cauſe, and would haue fought with this examinat vpon that quarrell. But this examinate denyed to fight with him vpon thoſe tearmes, as a quarrell wherin the ſaid Faulkner ſhould ſeeme to fight for the kings cauſe.

But the quarrell being his owne, and provoked by the ill ſpeaches given this examinate, hervpon, and in this cauſe, this examinate offered to fight with him, and not els.

William Paulhill.

H. Montague.

II.—SIR HENRY MONTAGU TO VISCOUNT FENTON.

November 15, 1614.

My good Lord,

Prefently after you had ſignifyed to me the kingis pleaſure, I ſentt to the ſhipp and apprehended Hurlſton, and that night alſo I apprehended Paulhill. Fawlkner ſtandes to mayntaine the wordes ſpokin by Paulhill, but Hurlſton, whom he calls to wittneſs, cannot affirme them. But vppon examination and fiftinge of Paulhill himſelf, he goes ſo neere the wordes of his chardge, as he dothe but ſhifte them with a littell witt. I haue committed Paulhill, and alſo putt the ſaid Hurlſton in cuſtody, till I vnderſtand by your lordſhip his maieſties further pleaſure. In the meane tyme, Fawlkner vndertakes to produce others that were in the ſhip who hard the wordes that paſſed; but thoſe partyes ar not yet brought to me. Paulhill, by waye of recrimination, tells tales of Fawlkner, but of that

your lordſhip ſhall heere more ſhortly. Thus, at your lordſhips ſervice, I reſt to be commanded,

H. Mountagu.*

15 Novemb. 1614.

I haue encloſed, ſent the coppy of Paulhills examination.

To the ryght honorable the Lord Viſcount
Fenton,† give theſe.

III.—SIR RALPH WINWOOD TO KING JAMES I.

January 13, 1615.

May yt please your Maiesty,

Thys day in thafternoone the Lords of your Counſayl did aſſemble. The cawſe of Samuel Pallache,‡ agent of the King of Marocco, ys not determined, but differred tyll Fryday next, by reaſon of th'oppoſition

* Sir Henry Montagu, his Majesty's Sergeant, advanced to be Lord Chief of the King's Bench, 18th November 1616. He was subsequently created Lord Montagu of Kimbolton, and Viscount Mandevil, by King James, and Earl of Manchester by King Charles I. From him the present Duke of Manchester is descended.

† Afterwards Earl of Kellie.

‡ Samuel Pallache, agent of the King of Barbary, Mulay Tidan. He complained that he has been detained prisoner by order of the King's Council, upon malicious and false information of the Spanish Ambassador, accusing him of being a pirate. He appeals to the States General and Prince Maurice, as to the quality of his person and official consideration. Thinks that he is imprisoned on suspicion of being the bearer of correspondence of profit between his master and the States General, and prays for the King's interference for his being set at liberty. See his letter in French, dated London, 6th January 1615. Balfour MSS.

of the Spaniſhe Ambaſſador, who doth alleadge that the commiſſion which he doth produce for his warrant ys counterfeyted. Thys matter being putt off for a farther hearing, the Lords came to the buſines of Ireland, and by dyvers letters they receaved from your deputye, they fynd that in the laſt ſeſſion before Chryſtmas, fowre acts of greate importance to your ſervice have paſſed the royall aſſent. The Lord Deputye hathe now ſent over dyvers acts which in probabilytie cannot be viſited by your learned counſayl, and ſent over in tyme to arryve there before the laſt of January, which is the day aſſigned for the next meeting; and therefore dothe humbly pray that your maieſty wilbe pleaſed to proroge the parlament vntyll the 18th of Aprill next: your pleaſurie therin yee may vouchefafe to make knowen vnto him vnder your owne ſignature. Th'acts now ſent over are putt into the hands of your learned counſayl, Juſtice Wynche, Sir James Leighe, Atturney of the Court of Wards, and Sir Rogger Wylbroome, to make rapport to your counſayl what they ſhall fynd for thadvantage or preiudice of your ſervice. Every ſecond Fryday ys the day appoyntit for Iryſh buſines, to be handled before your counſayl. Yt ſeemeth by the Lord Deputyes letters, that the benevolence and ſubſidyes wyll not be compatible. Your maieſty may be pleaſed eyther to direct your deputye vpon which cowrſe he ſhall inſiſt, or to leave yt to his diſcretion to take that way which he ſhall fynd moſt advantagious for your ſervice.

So humbly kyſſing your royall hands, I am

Your Maieſtys humble and loyall ſubiect
and ſervant,

Ralphe Winwood.

From your Maieſtys howſe at Whithall,
13 January [1615?]

To his facred Maieſty.

IV.—LORD NORRIS TO KING JAMES I.

SEPTEMBER 30, 1615.

MOST GRATIOUS SOUERAIGNE,

The fauour your maieſty hath beine pleaſed to direct of delieueringe me for a time to the freedome and quieat of myne owne houſe, is a grace infenite, which I preſume rather to proſtrate my humbleſt thankes for, by my letters, then preſence: aſſuringe your maieſty that ſuch of my poore fortune as lawe, or the ſeueretye thereof, entitelles your maieſty vnto, ſhaull be yealded vppe without deminution in all humble manner, as my life it felfe, which, togeather with the reſt, was euer bowed to your maieſtyes ſearuice, and ſhaull be euer ſo imployed as becomes

Your Maieſtyes moſt humble and
loyaule ſubiect,

F. NORREYS.*

Ricot, 30th of September 1615.

To the Kingis moſt excellent Maieſtye
of Great Britainge.

* Francis Lord Norris. In 1620, he was created by King James VI. Viscount Thame and Earl of Berkshire; and a month or two afterwards, having rudely pushed by Lord Scrope, who he affirmed jostled him in the entrance of the House of Peers, he was committed to the Fleet. This indignity so much hurt him, that he wounded himself with a cross-bow, at his house at Rycot, and died in a few days. His earldom and viscouncy became extinct, but the barony of Norris of Rycot is now in the person of his heir-of-line, the Earl of Abingdon.

V.—THE EARL OF SUFFOLK TO JOHN MURRAY.

Sir,

I haue bene with my Lord Chauncelor even now, to conferr with hym concerning the kyngs maieſties buſynes in hande. The Aturney was ther, wher by ſpeach yt fell into confederation, what company of lords and counſellors wolde be ther. My Lord Admyrall deſyers to be excuſed: my Lord Zouch wyll not be heer: my Lord Stanhop dare not this weather be ſo long in ſo cold a place: Mr Secretary Harbert can not, for the ſtranguery afflyćts hym ſo: my Lord of Shrweſbery hath bene ſo yll, both of goute and ſharpnes of water, as he hath never yet come to this end of the toune; and in truth, my Lord Chauncelor hymſelfe is in no caſe to be at ſuch a buſines on Fryday. The laſt day of the tearme may happyly geve more health to ſome of thes. My Lord Chauncelor wyll not have the ſtay to be for hym, yf he dye for yt; therfore, I thought fytt to ſygnifye thus much. The Lords that are able, are all apoynted to aſſemble at my Lord Chauncelor's howſe to morrowe, wher, no doubt, the day wylbe put of vntyll the end of the tearme, at the ſooneſt. Therfore, Mr Murray, I pray you acquaynt his maieſtie with this much, to the end that my lords who are apoynted to come away from thence to morrow, may ſtay vntill the next advertyſment, which ſhalbe preſently after ther meeting to morrowe at my Lord Chauncelors, wher the dyſpatch ſhalbe made. In haſt from Northampton howſe, Tweſday the 7 of February,

Your loving frend,

T. Suffolke.*

* From this letter having no date, it is impossible to fix its exact place in this collection. The writer was the father of the infamous Countess of Somerset; and perhaps it may have reference to some of the proceedings against her and her husband.

VI.—THOMAS WILSON TO KING JAMES I.

Most Gratious Soueraigne,

Your majeſtie maye well wonder, that I ſeruing you in a place of ſoe great truſt and conſequence as I doe, that you haue not of late ſeene any greater effects of my ſeruice therein. The reaſon is, for that euer ſince I ſerued in this office (which is nowe a double prentiſhip and a halfe), I was wont to receiue the papers euery yeare once, about the progreſſe time, and then preſently to digeſt them all into due order, ſecundum ſeries temporum et ſubiecta materiarum, and to make a regiſter of that yeare, and then an abſtract of the principall matters thereof, to be readie vpon any occaſion for your maieſties ſeruice, whereof I haue heretofore preſented ſome to your maieſtie, and others to your ſecretaries; but I cannot doe ſoe nowe, becauſe for theſe 4 or 5 yeares paſt, I haue receiued noe papers at all. The preiudice is to your maieſties ſeruice, the eaſe myne, that haue ſoe little to doe, but that is noe content to him that deſires not to be idle, nor to be an vnprofitable ſeruant, which your majeſtie knoweth I neither haue beine, neither will I be, if your majeſtie pleaſe to trie thoroughly what I am good for, and that there may be order giuen, that I maye receiue the papers as I ought by the eſtabliſhment of the place wherein I ſerue, and your majeſtyes pleaſure ſignified in ſome other thinges concerning the ſame, according to this memoriall hereunto annexed, which is humblie beſeeched by me,

Your Majeſties moſt loyall and faithfull
ſubiect and ſeruant,

Thomas Wilson.

VII.—A Memoriall for iiis Majestie to signifie his pleasure concerning some thinges about the Office of the Papers for Buisines of State and Councell.

1. That whereas there was heretofore a commiſſion ſigned by his majeſtie, and ſent vp to Mr Secretarie Nanton, wherein my Lord of Doncaſter, and the Secretarie himſelfe, were named commiſſioners, for calling into the ſaid office all ſuch papers and records as by information ſhould appeare to be detained by priuat perſons, which belong to his majeſtie, and ought to be in the ſaid office; which commiſſion, by diuerſe impediments, was neauer effected nor executed.

That his majeſtie would nowe be pleaſed to cauſe the ſaid commiſſion to be renued, and that the Lord Keeper, Lord Treaſurer, the principall Secretarie, the Chancellor of the Exchequer, and Maſter of the Rolles for the time being, or any two of them, might be named for commiſſioners, and the commiſſion to remaine in the hands of the clerke of the papers for the time being, to call vpon it as occaſion ſhall be offered hereafter, when he ſhall learne any ſuch papers or records be detained from his majeſtie, which of dutie belong, and ought to be kept in the ſaid office; and that a warrant to that purpoſe be made to Mr Atturney Generall to drawe the ſaid commiſſion.

2. That whereas the place for the ſaid office is nowe ſoe litle, that the bookes and papers are forced to be thruſt vp on heapes, and by the ſtreightnes and inconveniencie of the roome, cannot be expoſed to readines of vſe and ſearch, vpon any ſodaine occaſion, when they are called for. That his majeſtie would be pleaſed to giue order to the officers of the workes, that there maye be a roome built ouer the tiltyard gallerie, conformable to the roome on the other ſide of the Toure, where now they are, and from whence the office was remoued, to make lodging for Mr Secretarie Nanton, which, beſides the conveniencie for the office,

would make all that front vniforme, and be donne for a very fmall charge.

To his Majeſtie.

VIII.—THE EARL OF HERTFORD TO KING JAMES I.

March 28, 1616.

May it pleaze your most excellent Maiesty,

Upon the receipt of a letter from Mr Secretary Winwood, from Newmarket, dated the 13th of the laſt moneth, ſignifieng your maieſties moſt gratious admitting into your prefence my nephew, William Seymaur, to kyſſe your moſt royall handes, and receueng of him again into your fauor and grace, and withall wyſhing me to do the lik to follow your princely example, and to vſe him as kindly as I did before his offence, or as yf it had ben neuer commytted: I haue accordingly obeyed your maieſties command, and to aſſure your maiefty but for your pleazure, he ſhould neuer haue had my harty bleſſing, nor in his abſence reaped the valow of one denier at my hands, as your maiefty doth beſt know. He hath ben heare with me euer ſithence, and I find him moſt penitent for his former folly, and deſirous for this your grace and fauor to ſtudy how he may ſpend the reſt of his dayes by ſeruing your maiefty with his prayer and bodily ſeruice at any your maieſties commaundes; in doeng whearof, he is aſſured of my fauor and bleſſing. My ſelf remaining, and all myne, in prayer for the preſeruation of your maiefty and your noble queene, with all your royall iſſue, do moſt humbly allwayes reſt

Your Maieſtyes moſt humble, dewtifull,
and obedient ſubiect,

Hertford.*

From Letley, this 28 of March 1616.

* Eldest son by the second marriage of the Protector Somerset. He died in April 1621, aged eighty-three.

Poſtſc :—Pardon, moſt gratious fouuerain, I beſeach yow, my preſumption in writing to your maieſty at this tym thus, that it pleazed yow at my attendance upon yow at Greinwitch, at the end of the laſt parlament, to geaue me leaue to wryte to your maieſty, whom I moſt humbly deſyre not to forget my tow old wounted futes.

IX.—SIR HENRY MONTAGU TO JOHN MURRAY.

August 10, 1616.

Sir,

I am ſure yow do well remember that at Greenwich it pleaſed the king to enquire of me who were the judges for Oxfordſhire Circuit; whom, when I hade named, his maieſty tolde me what he had bene informed, touchinge on Barkley, and willed me to attend bothe the judges about him. Which accordingly I did without delaye, and ſpake ſeuerally with them bothe, and acquainted them how his maieſty was informed, that wheras Barkley was chardged to haue don a robbery at a place in Oxfordſhire, this Barkley could produce good proof that at that very tyme he was heere in London. Beſydes, of my ſelf I lett them to know, that this John Barkley was the kingis man, on of his fawlkners, and on that the king tooke notice of. And to Juſtice Crooke, I remembred what yow hade tolde me of ſom ſervice Barkley hade don in vſinge his ſtrengthe to ſaue the king from ſom dainger, and the leaſt ſervice that way was to purchaſe him ſom favour though he might be proved a knave. It was not for me to expect an anſwer from judges what they would do before they hard the matter; but they bothe ſatiſfyed me it ſhould not be forgotten what I hade ſayde, and ſignified from the kings maieſty. Now, I vnderſtand, that at Oxford Aſſiſes laſt, Barkley was condempned and executed with more ſpeede then was expected; and that the judges ar

not pleaſed to remember that I was with them, or told them any thinge from his maieſty concerninge Barkley; whervppon his maieſty is offended with me, as iuſtely he may be, yf I ſhould neclect or forgett to do his comand. But I hope never to be found in that falt: and for this buſineſs I muſt avow yt and will. I did all that I was commanded, and of my ſelf I prefumed to intymate what I thought was expected, though I was not commanded to ſay yt.

Now, good Mr Murrey, do me this favor and right, to lett his maieſty know what I did and what I haue written, that I dwell not in his diſpleaſure; for it trobles not a littell that it euer ſhold [be] fayde or thought that I would be careleſs or forgetfull to do what his maieſty himſelf commanded me. And thus I reſt your very aſſured frend,

MOUNTAGU.

London, this 10th of Auguſt 1616.

To my honerable good freend Mr John
Murrey, gentleman of his Maieſties
Bedchamber.

X.—JAMES HUDSON TO JOHN MURRAY.

SIR,

There is no place aboute this royall caſtle for his maieſties recreation, and therefor I wolde beſtow ij^{c} lib. on the beſte fruittes of this kingdome wherewith to plant all the grounde of the kinges garden, and all the walls aboute it, with walkes and a dore into the parke, onlie for their maieſties and the prince their priuate vſe. I haue not done this long ſince, becaus I haue no time in it but his life of whom I boughte it; and therefor I wolde yet offer to do this ſeruice for his maieſties pleaſour, for which I hope for thankes, rather

then that it ſhould be thought anie benefite to me. Yee haue proof of the like at your houſe at Guildforde, where if any had done the like for yow, I thinke yee wolde both haue thanked them and giuen them time in it. And that it may appeare that I ſeeke not my owne gayne, but the ſeruice, pleaſour, and contentment of my ſouerayne, let me haue my coſtes agayne, and I will giue vp my graunte at anie time when it ſhall pleaſe his maieſtie. I pray yow, ſir, procure me his maieſties pleaſour herein, and I will eyther preſentlie plante it or leaue troubling his maieſtie anie more, and ſaue ſo muche charge to my ſelfe, for the ſeaſon of planting is at hand.

Yours, Sir, to do yow ſervice,

[No date.] Ja. Hudson.*

To my honorable frende Mr John
Murray, of his Maieſties Bed-
chamber.

XI.—ANNE COUNTESS OF DORSET TO KING JAMES I.

Most blessed Kinge,

Chriſte himſelfe was not offended with the women that foughte him; and my truſt is he dereſtes me ſtill to your maieſtie, beinge ſure I haue neyther broken the lawes of God to my huſband, nor the lawes of your kingdome, neyther offended you in deede, worde, or thoughte; and therefore as I will aſſuredlie truſt in the Allmightie, I ſhall never haue cauſe to com to you for mercye, ſoe will I never leave ſueinge vnto you for juſtice, knowinge you are the kinge of the earth, to doe all rightes for the Kinge of heaven.

* One of the grooms of his Majesty's Privy Chamber. On New-Year's-Day 1605–6, he received a present from the King of ten ounces of gilt plate.

I humbly beſeeche you giue me leave to ſpeake with you, that I maye not be condemned before I aunſweare for my ſelfe, for it remaynes no ſmall greefe to my harte, that your maieſtie ſhould tell me I was madd, beinge moſt aſſured that your maieſties harte could not be ſoe much hardened, if you hard not many more falſe tales againſt me then that. But if my importunityes may offend, I beſeech you laye the blame vpon the extreame wronges and miſeries I haue endured that haue now lived three quarters of a yeare without any allowance for food to ſuffice nature. I haue oftentymes (before and ſince my Lord Threaſurers death) both ſent, written, and gone myſelfe to my huſband, but can neyther ſpeake with him, nor be permitted to come within his doares; but onelie his ſervants anſweareing me out of a wyndowe that I muſt not come in.

My humble deſyres are but theſe: that my cauſe may be hard and my faltes knowne, that if I haue not truely deſerued theſe ſkandolls, wronges, and infamyes I haue endured (which will ever remayne vpon me and my poſterity), I may haue juſtice, and eyther to goe home to my huſband vpon honourable tearmes, free from daungers, or elſe to haue myne owne poore fortunes, with ſuch further allowance as may mayntene thoſe honours (your maieſtie was the ground of), and God nowe hath caſte vpon me; togither with the ſecuringe of my eſtate I broughte, which (by a purchaſe of the late Lord Treaſurers) ſtands endaungered, and I haue ſued to haue redreſs therof, and as yett haue receyued no juſtice.

Your maieſtie promiſed to heare me, and the worde of a kinge is iuſte, and I will holde the fame as an inheritaunce to my ſoule, for which I will yeld my lyfe with all dutyes

Humblye at your Maieſties feete,

AN. DORSET.*

To the greate and mightie and moſt religiouſe Kinge of Greate Brittayne, theſe.

* Daughter and heir of George Clifford Earl of Cumberland. She married Richard Sackville, third Earl of Dorset, who died March 28, 1624. She remarried Philip Herbert Earl of Pembroke, and died his widow at Brougham Castle, March 22, 1675. This letter and the succeeding one have been printed by Lord Hailes in his Memorials of the Reign of James.

XII.—ANNE COUNTESS OF DORSET TO KING JAMES I.

My most deare Soveraigne,

Maye yt pleaſe your majeſtie to giue me leave to lett yow vnderſtand how my cauſes goe in my continued afflictions.

In your majeſties name I was the ſecond tyme comitted to priſon, not yett knowing the cauſe of that comittment, and ſtill remayne debarred not only of your preſence, but of the queenes and the princes alſo, not being able to conceave the cauſe. And yett whereas by the princelie word of your maieſtie proceeding from your owne mouth, I ſhould haue had 1600lb yearelie for my maintenaunce in my late huſbands daies, I cannot yett obteine one pennie thereof, althoughe I haue bin ever ſince in a chargeable ſuite for the ſame; and vnleſs yt ſhall pleaſe your majeſtie to ſignifie to my Lord Chancelor that yt was your pleaſure (which I truſt your maieſtie doth remember) that I ſhould enioy ſo much, my counſell informe mee that I haue noe waie but that onlie to recouer yt.

Yf the greateſt enemy I haue can prove, that, by any faults comitted by mee, eyther in breach of my vowes to my huſband, or offence to your majeſtie or any your lawes, I did deſerve ſo great afflictions, as to be debarred of meate, drincke, and other neceſſaries for the ſuſtenaunce of my lyffe, in my huſbands time, I intreate no favor herein; and therefore (no ſuch thing to be proued), I will euer moſt humbly ſeeke iuſtice at your maieſties handes, where I aſſure myſelf to find yt.

Touching the ſuits for my dowre, I am nowe, with exceedinge much adoe, your maieſties ſworne widowe, and therefore am much comforted to remember, that your maieſtie tooke an oath to Almightie God at your coronacion to defend and protect mee in my iuſt cauſes, your maieſtie having none other yet but myſelf in this your kingdome, neither hath the lyke bin in the whole raignes of Queene Elizabeth, Queene Marie, or King Edward, as I cane poſſiblie find with my greate charges and

labor, and therefore nowe moſt humblie beſeech your maieſtie to make mee ſomuch bound vnto you as to command my Lord Chancelor and my Lord Threaſaurer, without farder delaies, to ſuffer me to inioye the beneſitt of your moſt princelie prerogatiue, according to your maieſties lawes prouided on that behalf: and if I had knowne or might haue bin ſuffred to haue taken my oath to haue bin your maieſties widowe (which I often tendred in your maieſties courts parſonallie), I might haue bin as neare th'obteyninge of my dowre a yeare ſince as nowe.

And yf ſtill the like courſes be offred (as haue bin caried againſt me in all my ſuites), giue me leaue, moſt dread ſoveraigne, to relate them vnto yow, that your maieſtie, knowing them trulie, may not only releeve mee, but others that may happen to taſt the like miſeries, by the like delaies.

And ſo I will euer pray vnto the Almightie vpon the knees of my ſoule, that he will alwaies direct your hart to truſt onlie thoſe whom your maieſtie ſhall find loyall and faithfull, and ſo carefull to ſee your maieſties lawes duly executed, as neither favor nor affection may byas or pervert there proceedings therein, to the ſaftie of your maieſtie and all yours, and to the ioy and comfort of your loving ſubiects in all your kingdomes.

In all humbleneſs your Maieſties ſworne widowe,

An. Dorset.

Becauſe your maieſtie is not at leiſure to heare mee your ſelf, I will goe and impart ſome matters to my Lord of Canterburie, hoping he will truly acquaint your maieſtie therewith.

To the greate, mighty, and moſt religiouſe
King of Greate Brittaine.*

* There are no dates to this or the preceding letter.

XIII.—TO THE KINGS MOST EXCELENT MAIESTIE, THE MOST HUMBLE PETITION OF HENRYE EARLE OF OXENFORD.*

Most Gratious Sir,

I cannot (notwithſtanding your maieſteis deafnes vnto my daylye petitionings) diſpaire of your fauour, your infinit goodnes being ſuch as not to continue your heauie diſpleaſure but againſt wilfull and malitious offenders, wich I was neuer, my thoughts and actions hauing euer whoelye tended vnto your ſeruice, from which my words neuer varied, although at this preſent my accuſers haue rakt them vnto another fence. The wiſeſt and moſt circomſpect are not able to giue a preciſe account of euery word that paſſes from them throughoute the yeare, much les my ſelfe, yet, knowing my hart ſound, I am aſſured no poyſon could fall from my tonge, and I call God to wittnes, if I knewe myſelfe guiltye of ſo foule and heronious an offence, I ſhould need no other judge to condem me then myſelfe. Beſſides, the whole courſe of my lyfe will somwhat iuſtyfie me, hauing, from my infancie this tuentye years, been bred vp in your maieſteis court and ſeruice, in which time I neuer gained vnworthye or diſhoneſt repute: and with my years, I lykewiſe grwe in deſyer to doe you ſeruice, ouerſlipping noe ocation to expreſs it, as my jornye into the Palatinate maye teſtifye in my behalfe: towards the performance wherof I ſtrayned the ſineves of my weake eſtate; from whence wolde the hope of retorning with ſupplyes vnto my coſſen Sir Horace Vere, had not caled me back into England, then might I perchance haue obtained the haite of my ambition, by ending my lyfe in your ſeruice, in companye with him, whoe, by all probabylitie, is lyke (withoute the greate healping hand of God) to perriſh in it. Latelye, and laſtlye, the honor and command at ſea, which your maieſtie was gratiouſly pleaſed to laye vppon me, far beeyond either my abylitye or merritt, was by me vn-

* Eighteenth Earl of Oxford, and Lord Great Chamberlain of England.

dergone with all carefull willingnes, though in my fortune to my particular preiudice. If it did not fucceed according vnto your maieſteis defyers, it will apeere plainlye it chanced not through anny omition of myne; and that I hope your maieſtie conceaues. But this I mention not by anny waye of merritt, knowing that all endeuours of fubiects towards their prince, are but due duties.

Onlye, my moſt humble requeſt is, that by theis parts, your maieſtie wolde be pleafed, as in a looking-glafs, to judge the whole peice; and not through the flanderous tongs of fumm fewe, whoe endeuour, in their proceedings againſt me, to performe their oune worke, not your maieſties, to their motiues. I add a moſt vndefembled and hartye repentance for annything wherin I may be conceaued to haue offended: in all humilytie befeeching your maieſtie at length, though late, I maye taſte the fruits of your gratious fauour, through my lybertye, in which I ſhall bend my whole endeuour, and make it my ſtuddye to redeeme your fauour, and continue praying for your maieſteis perpetuall happines, both in this and the lyfe to come.*

XIV.—SIR JAMES CROFT TO KING JAMES I.

Most Gratious Soveraygne,

Havinge fervid your maieſtie with my beſt endevors, ever ſithence your highenes cominge to this your glorious crowne of England, togeather with the late queene of famovs memorye, for the ſpace of fortye yeeres, nott only in cortt, but allſo in the warres, and attendinge of ambaſſators into Fravnce, Spayne, and the Low Cuntreys vpon all occations, butt as yett have never taſted ſo movche as the leaſte partt of that bovntye nor favor which your maieſtie hathe plentifvllye imparted to moſt

* There is no date to this petition; but as express reference is made to Sir Horace Vere's expedition to assist the Elector Palatine in 1620, and as the Earl died in 1625, it must have been written within that period.

of your well defervinge fervants, doe, therefore, nowe moſt hvmblye pray, that your maieſtie wovld be pleafed, att this my hvmble fote, fo movche to grace me, beinge preſſed therevnto by the importvnitie of my beſt frendis and neereſte kynfefovlke, as to confer the honor of knyghtehoode vpon a nephew of myne, who, for the antiqvitie and gentilitie of his howfe, for his edvcation and gentellmanlyke partes, as allfo for his lyvelehoode and habelite to mentayne the fame, may be rancked with moſt of the beſt that have att any tyme bin dignified with the lyke; and I wyll ever, accordinge to my bovnden dvtye, praye for the longe and ever longe continvance of your maieſtie in all happines.

Your Maieſties moſt faythefvll and trvly hvmble
fervantt,

JAMES CROFT.*

[No date.]

To the Kingis moſt excellentt Maieſtie.

XV.—APPLICATION TO KING JAMES I. [BY SIR EDWIN RICH?†]

THE Lady Riche liveing in the ſtate of mariage with the Lord Riche had many children, plainely acknowledginge fome of them by name, to bee the children of the Earle of Devon, whom at length ſhee fo difor-

* He was dubbed a knight at Whitehall upon the 23d July 1608. At the funeral of Queen Anne in 1619, he assisted in carrying the body.

† Robert Lord Rich had by his wife, Mary, daughter and heir of George Baldry, three sons, Robert his successor, Sir Edwin, and Richard. The eldest son married Penelope, the daughter of Waller Earl of Essex, by whom he had three sons and four daughters, doubts of whose legitimacy were entertained, from the adulterous connection she had formed with Sir Charles Blount, Earl of Devon. Upon the death of Robert, who was created Earl of Warwick, and died in 1618,

derlie affected, that ſhee practiced to bee his alone, procuring the ſame by ſuite of diuorce from the Lord Riche; firſt, vpon pretence of a precontract, then by confeſſion of her owne adultery. The divorce was graunted in the vſuall forme, a thoro et menſa, but not a uinculo. For it hath euer ben thought the more ſafe opinion, that neither of the diuorced can marry againe (the other partie liueing). And though ſome of late haue (by fauour) yeilded leaue to the partie innocent, yet that the offender might marrie with the fellow of her offence, no man of learning hath hitherto admitted. For the tolleration thereof would giue waie to light women to chainge huſbands as oft as they liſt. Yett the Lady Riche practiſed to obtaine the Earles conſent to marry her, wherevnto he ſhewed himſelfe nothing willinge. Shee vſed meanes to prouide and wynn ſuch followeris about the Earle, as might worke him with euerie aduantage for aſcenting to the intended mariage, and in the third of your maieſties raigne, in the Chriſtmas holy daies, a feaſt being appointed at Wanſted, for remembrance of a victory at Kinſall, after full cupps, at tenn of the clock in the night, the deſired mariage (ſuch a one as it was) was acted.

This vnlawfull mariage being ſo compaſſed, there remained yett one other exployt to be attempted, for getting the whole eſtate of the Earles to be ſetled, by extraordinarie trickes, againſt the right courſe of the common lawe vpon the Lady Riche and hers. Wherevnto, though there were ſome meanes made in the tyme of the Earles good health; yett he neuer ſuffered himſelfe to be drawen wholie to exclude the heire at common lawe from his right: neither was there any reaſon he ſhould, for that a great eſtate of landes came to his auncеſtors by an heire of the Champernownes. But at the length, in the fowrth of your maieſties raigne, the 25th of March, the Earle fell greiuouſlie ſick at the Dutchie houſe, and by the laſt of the ſame March, his ſicknes appeareing more dangerous,

the heir-at-law seems to have unsuccessfully instituted several suits to annul the settlements made by the deceased Earl; and this application to the King is for the purpose of obtaining a fair hearing of his cause. As the applicant represents himself as next heir (after the children, whose lawful descent was controverted), the name of Sir Edwin Rich, who, from Collins' Peerage, was entitled to that character, has been inserted in the title.

the Lady Rich came to him that night, and prefentlie after the ladyes comeing, vppon conference with her freinds, three feuerall deedes were appointed to be made, without any direction from the Earle, whoe, in the begining of this his ficknes (though hee had ben moued to the like effect), did put of the motion with diflikeinge.

Theis deedes were a bargaine, and fale of diuers mannours and landes to bargaines in truft: a will indented of lands: and a will of goods. And they were intended (as trickes) to carry the eftate to an illegitimate infant, and others; and (as it may be verie well conceiued), contrary to the meaneing of the Earle, whoe ever formerlie declared his defire to bee, that his eftate fhould goe to the yffue of his body, lawfullie begotten (which could not be any yffue of the Lady Riche); the remainder to his heires at common lawe, againft whom theis deedes were principally intended, not without preiudice to your maieftie, in regard of primer feifin due from the true heire, and of wardfhip of landes in capite, held by an infant (if they had ben duelie conveyed). Theis deedes haue manie defects in lawe. The wills were procured not long before the Earles death, at fuch tyme as he was verie weake, and not able to difpofe of any thing by him felfe. They were made by fuch queftions as Wakeman conceiued fitt for his purpofe, and affirmatiue anfweres of the Earle, at fuch tyme as he was like to giue his yea to any queftion made vnto him; which queftions and anfweres Wakeman fett doune as he pleafed. There were alfo many fufpitious enterlineinges in the fame wills: and whereas Wakeman had gott the Earles hand to the bottome of the will of goods, wherein there were left many blanckes, hee at the length filled vp the blanckes as he thought good, though the daie before the Earle had refufed him in that refpect (anfwering, that he would confider of it, but neuer did it); and amongft other thinges, Wakeman, without warrant, incerted the vfes onlie for the benefitt of the Lady Riche and her children, and for default of fuch yffue, to whome fhee would affigne fo great poffeffions, wholie excludeing the heire at common lawe, and that without any fufficient warrant from the Earle. Theis deedes were made with extraordinarie haft, without counterpanes. The bargaine and fale was made for confideration of mony, but no mony paid. In the wills, men-

tion is made of diuers honorable perſons by name, as put in truſt for the lady, the which (as it ſeemeth) hath ben done pollitiquely, to countenance and ſhaddowe (in ſome ſort) the foulenes of the cauſe; the which, as alſo the noateable defectes of the deedes, ſhall more plainelie appeare in the proceedinge, if your maieſtie wilbe graciouſlie pleaſed to giue order for an indifferent heareinge, the which could not hitherto be obtained, though the lawes of ſtate vſe to giue no allowance to thinges don contra bonos mores; neither vſe to permitt execution of guifts by will, to perſons notoriouſlie vnworthie.

After the death of the Earle, I omitted not, by courſe of lawe, to ſeeke my right; but I found the contrarie cauſe ſo to be countenanced, that I was in diuers courts ouer borne, whereby I haue iuſt cauſe to complaine to your maieſtie for the wronges don; and humblie beſeeche your maieſtie that I maie haue a iuſt and indifferent heareinge of the whole cauſe.

WRONGES OFFERED IN THE PROCEEDINGE.

I preferring a bill into the Court of Wardes, againſt the Earles pretended executours, John Wakeman and Joſeph Earth, I was plainelie forbidden to make proofe by examination, vppon circumſtances and interrogatories, the which is the only proofe to be vſed againſt ſuch ſeacrett practices.

Then, I deſireing a comiſſion to finde an office (a thinge neuer denied in ſuch caſes), I was by diuers ſhifts put of; but at the length, ſeeing that the deniall could not be ſtood vppon, the comiſſion was graunted in Northamptonſheire, where one Morgan, the late Lord Threſaurer, Maſter of the Wards his man, was Feodarie. From thence a choiſe jury was returned into the Court of Wards, and vppon heareing of the cauſe, the judge himſelfe endeauored to giue euidence (a thing vn-vſed); yett, the proofes appeareing cleere for me, the Lord Threaforer refuſed to proceede to verdict; but adiorned the cauſe to be further proceeded in at a day long after prefixed, in Northamptonſheire. On the which day, my cheife witnes was (vpon his allegiance) commaunded another waie, as for ſeruice of ſtate; and by Morgan's indirect and partiall carriage, another man was found heire to the Earle, who himſelfe is careles of that title. Yett,

after many motions, I obtained a new comiſſion into Dorſettſheire, where at my great chardges I prouided my councell, herralds, and witneſſes, out of diuers places, for the daie appoynted. But the Lord Threaſorer, firſt by his letter, put of the heareinge for 17 daies; and afterwards, by a writt of ſuperſedias, altogether defeated that comiſſion.

I, being thus wronged, and expecting no good dealeing, diſciſted for a tyme, till one of the Lord Threaſorers ſeruants was ſent vnto me with manie lardge promiſes of his lords fauour, aduiſeing me to make tryall at the common lawe, and therein offered to bee, and was, my only ſollicitor. Nothing miſtruſting, but to haue ſincere dealeing, I comenced ſuite in the Common Plees; but the euent proued that all this was to betraie me and my cauſe, for my ſollicitor of purpoſe (as it ſeemeth) informed my councell with a falſe caſe, whereyppon I had no remeadie but to become non-ſuite. Then, by this ſollicitors aduiſe, I reuiued the ſuite at the Common Plees, wherein the ſaid ſollicitor omitted to except againſt Wakeman's teſtimony, which he ought to haue don; for the ſaid Wakeman was the man that contriued all the former practices, againſt whome I had two bills depending in the Starr Chamber and Chauncery. The ſaid Wakeman alſo pretended to bee the Earles executor, and was in the interim to enioye the cuſtodie of the Earles eſtate; and, for aſmuch as vppon Wakeman's teſtimonie a verdict was giuen againſt me, it may be well conceiued how evill the ſollicitor dealt herein. Thus, I being abuſed at the common lawe, returned againe to the Court of Wards, and deſired to haue a new comiſſion; but it was peremptorily aunſwered me, that I ſhould neuer obtaine the ſame, vnleſſe I would allowe all the former deedes. Which anſwere doth implie, that I ſhould renounce all my right to the Earles eſtate, whereby it maie plainely appeare that the cauſe hath ben carried with ſtrong hand againſt me, which doth plainely manifeſt that (as the thing they haue moſt deſired) they haue foyled my cauſe in every court. By reaſon wherof, it is ſo diſgraced in the opinion of the world, it is adiudged againſt me before it come to hearing or examination; ſo as this great cauſe hath ben carried by the only teſtimonies of this Wakeman, and one Dodd, two men in condition ſtrainge and inſufferable.

XVI.—FRANCES DUCHESS OF RICHMOND AND LENNOX TO THE LORD GORDON.

Nobl Neuey,

I pray remember my humbelleſt dewty to the king, our maſter, and kiſs his hands from me. Tell his maigiſty that I am hartely glad to heare that he is in health, and will ever ioye to him to be where he hath leaſt buſnis, that he maye be queate in mind and be freſh and fatt, that long may be his days and years, that wee that ar his creaturs maye not breath after him: it is heare reported, that my deare lord, your ovnkell, will be heare to morow; but I canot beleue, knowing that he went onely to waite on the kinge, and to gett himſelf a good ſtomack and health, which he ever brings with him from New Market. Therefore, remember me kindly to my lord anon, and tell him if he hath not gott the king to ſtaye my lord, but hath let him com away in this bitter wether, hee and I ſhall haue a bout at meeting. When the king is abroad to take good eare in his coatch, wiſh me there, for I am your true frind,

F. Richmond and Lennox.*

Wenſday, the 21 of January.

When you write into Scotland, I pray remember me kindly to my ſweet ſiſter your mother.

To my Neuey, the right honorabill
the Lord Gurden,† this.

* This lady was a daughter of Thomas Viscount Bindon, and married, first, Henry Prannel, a London citizen; secondly, Edward Seymour, Earl of Hertford (who died April 1621); and thirdly, Ludovic, second Duke of Lennox and first Duke of Richmond, who died on the 16th February 1624. Upon his demise, her Grace is said to have aspired to his Majesty's hand. The Duchess was at times exceedingly proud and haughty; on these occasions his Grace used to remind her of her first husband. She died 8th October 1639.

† Afterwards second Marquis of Huntly. His mother was Lady Henrietta Lennox, sister of Ludovic Duke of Richmond and Lennox, and he was in this way connected with the writer of the letter.

XVII.—THE EARL OF CARLISLE TO JAMES I.

May it please your most Excellent Maiesty,

From the mouthe of your maieſties worthy ſervant, my Lord of Kingſendtoune, yow will reſawe the relation of this kings good affectione, and his miniſters to incorporat him ſelfe with your maieſty, botthe by alyance and kair of comon intereſt. Be not trowbled, I humbly intreat your maieſty, with what my ſecretary prefented to your ſacred hands, but beleue him whoſe dexterety and judgment bothe before diſpoſed there affections, and ſins compoſed all the diſorders, humor, faction, or begottry had created. The propoſition for his jorney was propoſed by them; howſumever, they doe deſyr it ſhould not appeare, and his relationes will be ſeconded by this kings ambaſſador, who is a gentlman that has the honor to be knoen to your maieſty, and not vnvorthy of your gracious favor, to the which I moſt humbly commend myſelfe, as my onely worldly felicety, in the quality of

Your moſt ſacred Maieſties moſt humble,
moſt faythfull, and moſt obedient ſubiect,
ſervant, and creatur,

Carlile.*

For his moſt excellent Maieſty.

* Sir James Hay, an especial favourite of the King, who was created Lord Hay, subsequently Viscount Doncaster, and in 1622, Earl of Carlisle. He was frequently ambassador to France and Germany, and was particularly famous for his splendid and luxurious entertainments, at one of which, it is said, that an attendant ate to his own share a pye valued at L.20 sterling.

XVIII.—SIR EDWARD CONWAY TO [VISCOUNT ANNAND?]

March 9, 1623.

Right Honorable,

For the eſtimation I haue of your fauour to mee, and by the warrant that it is for his maieſties buſines, I take the aſſurance to beſeech your Lordſhip to informe his maieſty that I was yeſterday with the States Ambaſſadors, and after much diſcourſe concerning theire preſent negotiation, wherein in the generalityes they ſhewed a greate deale of affection to apply themſelves to his maieſties ends and ſeruice, endeauoring by arguments to prooue that they ſhould more ſenſibly and daungerouſly feele the inconveniency and hazard of this ſtate then of theire owne, ſhewed much deſire to come to the perticulers in which they might accommodate themſelues for the publique good to his maieſties ends, declaring that nothing could be more inconvenient to this crowne and that eſtate then delayes at this tyme. I accquainted the ambaſſadors with the coming of Padre Maeſtro, and willed them to lett mee knowe what they thought theire captaines would doe if he came with his maieſties ſafe conduct. They anſwered mee, they could not thinke but the captaines would beare all reſpect to whomeſoeuer vnder his maieſties protection. I then deſired them to giue likewiſe theire parſport for Padre Maeſtro: they anſwered, that none but the States Generall or the Prince of Orange had power to giue ſafe conduct; and that if they ſhould of themſelues preſume to giue a ſafe conduct to ſuch a perſon, when they ſhould returne the people would teare them to peeces.

I haue cauſed a ſafe conduct to bee prepared for his maieſties ſignature in Engliſh and in French, and becauſe I haue put in ſome words more then the vſuall formes, at which his maieſties miniſters for thoſe acts doe a little ſtart, I haue ſent your Lordſhip the words which are extraordinary, in a paper herewith ſent. And for ſauing of tyme, if his

maieſtie thinke them too much, I haue ſent another parſport without thoſe words, which his maieſtie may bee pleaſed to ſigne if hee miſlike the other. I conceaue it will not bee amiſſe if hee ſigne both the French and the Engliſh. I ſent to the Spaniſh Ambaſſadour this ſame ſafe conduct in French which I ſend your Lordſhip here now, the lardger of the two in words, for his maieſties ſignature if hee like it. The Spaniſh Ambaſſador approues it very well, but withall deſires that a captaine or an expreſſe meſſinger may be ſent with it. My humble opinion is, that if his maieſtie will ſend a meſſinger of his owne, the fitteſt will bee a meſſinger of the chamber to bee ſent from hence, which I ſhall doe if you direct mee ſoe. And if his maieſtie finde it good, I will ſend a coppy of the ſafe conduct to the Dutch Ambaſſadors to ſee, and require them, though they want power to giue a ſafe conduct, yet they will giue a lettre of aduice to theire captaines, or ſuch as may come abord, that they doe not breake into contempt aganiſt his maieſties ſafe conduct, for a miſcheife is much better auoyded then repaired.

You may bee pleaſed likewiſe to informe his maieſtie that I was with the French Ambaſſadour, and accquainted him with the doubt of our marchants concerning the lettres of reprifall giuen by the French king. I ſhewed him the allegations of the marchants, that the damage was about 1000 ℔.; that the lettres were for 15ᵐ℔.; that our marchants had bin at more chardg in ſeeking to make a iuſt vnderſtanding of the cauſe by ſuite then the whole value of the damage, but could not condiſcend to ſoe vniuſt a chardge as 15 for one recompence.

I endeauored to ſhew him the inconveniences and miſcheifes that were likely to follow, not onely to the diſaduantage of both the crownes, but of Chriſtendom, if the French king ſhall permit ſuch attempts vpon vs, and his maieſties ſubiects repaire themſelues with the like actions. I prayed him to anſwere the expectation of him by giuing a right vnderſtanding to that king, and procureing a further ſuſpention of the lettres, an abſolute recalling of them, vntil, vpon an equall hearing of our marchants, the buſines may be brought to a iuſt and legall determination. The Ambaſſador pleaded ignorance of the matter; offered to doe all in his power, and deliuered his opinion that his king hath nothing more in

contemplation then the entertaynement of good correſpondency with his maieſtie, and offered to write preſently by any meſſinger that the marchants would ſend. I doe preſume to propound (if his maieſtie will like of it), that ſince the complaint comes out of the Weſt Country, and thoſe marchants are farre of, and this may prooue rather a buſines of ſtate then of marchandize if it goe on, that I may ſend a courier expreſly, whoe may carry the French Ambaſſadours lettres, and I may write to Sir Edward Herbert to contribute his laſt offices to this work, which I ſhall doe preſently if his maieſtie giue mee directions. I beſeech you, ſir, to excuſe mee if I haue bin thought ſlowe in bringing of things to this poynt. I haue not fayled in humble affection and duty, which, with all faith, I will euer imploy in his maieſties ſeruice; and heartily aſking you pardon, I remaine

Your Lordſhippes moſt humble ſeruant,

EDW. CONUEY.*

Whithall, the 9th of March 1623.

For your Lordſhip.

XIX.—THE EARL OF MIDDLESEX TO KING JAMES I.

SEPTEMBER 27, 1624.

SACRED MAIESTIE, MY MOST GRATIOUS MAISTER,

I am a moſte miſerable and vnhappye man to be troblesom to ſo good and gratious a maiſter. I humbly and thanckfully acknowledge,

* Secretary of State—created Baron and subsequently Viscount Conway.

I haue been by your fauour aduanced to greate honnour, and by your goodnes preſerued from vttour ruyne, of which I am ſo ſenſible, that I would not lyue to troble yow, yf I cowld not dye withowt loſſe of my ſowle. God bleſſe mee and my poſteretye, and haue mercye on mee at that laſte and dreadfull daye of judgment, as I haue ſerued your maieſtie with much faith and loue. And yet (I dare not ſaye for it) I am vtterlye vndon, excepte of your goodnes, juſtice, and mercye, yow bee pleaſed to giue a preſent and gratiows ende to my moſt diſtreſſed and vnexampled cawſe.

My creditors do daylye preſſe vpon mee, and growe ſo impatiente, as it weare a greate happynes for mee to bee in my graue to avoyed their daylye and howerlye vexations and clamoures, whome I can no longer delaye, nor poſſiblye ſatiffye, vntill I maye knowe your more merciſull reſolution.

I humblye caſte my ſelffe and my eſtate at your royall feete, to do with mee and it what yow pleaſe, hopinge that your maieſtie, haninge paſſed an acte of parlamente to inioyne mee to paye my debttis, will not by a ſecond acte diſable mee to do it, nor after your ſo many fauouris and gratious promiſes, in the concluſion macke mee miſerable; nor ſuffer my wyffe (which yow gaue mee), with her children, to be expoſed to wante and contempte.

I beſeech your maieſtie with compaſſion to conſider my ſufferings, and with juſtice the trewe cawſes of them; and maye God inclyne your merciſull harte to pittye mee, and giue a preſent and gratiows ende to this one particuler concerninge my fyne, as I haue been a faithfull ſeruant vnto yow, and no otherwiſe.

I haue ſent your maieſtie a coppye of my anſwer I gaue the commiſſion concerninge the laſt eſtabliſhment for Ireland.* By it will appeare my faith to yow, and care of your ſeruice when I had power, and how conſtant I continewe to yow and your ſeruice, allthowghe, by followinge that cowrſe, I am browght to theiſe extremetys; yet, whileſt I liue, I will do it, thowghe I perriſh for it.

* This paper is not in the volume.

God giue your maieſtie all compfortis in this lyffe, and a crown of glory in the next.

Your Maieſties moſt humble and moſt faithfull
ſubiect and ſeruant,

MIDDELSEX.*

September 27, 1624.

XX.—SERUICES DONE FOR THE KINGES MAIESTIE BY SIR LIONELL CRANFEILD.

THE improving the three pence vppon the ſtraungeris, which is not onlie a publique good to his maieſties ſubiectis, but an increaſe of his majeſties revennewe at the leaſte three thowſand poundis per annum, . . 3000 ℔.

The improving his maieſties revennewe by the ſaving one thouſand poundis per annum which was paid the farmouris for receipt of the newe impoſition, . . 1000 ℔.

* Lionel Cranfield was originally a merchant, but marrying a relative of the favourite Villiers, afterwards Duke of Buckingham, was brought to court, where his rise and fall were equally rapid. Having been created Earl of Middlesex, he afterwards was so unfortunate as to incur the enmity of his original patron Buckingham, who supported an impeachment brought into parliament against him for bribery, extortion, oppression, and other heinous misdemeanours, while holding the office of Lord High Treasurer, and materially assisted in procuring his conviction. The Earl's sentence was severe in the extreme; he was held incapable of holding any office, prohibited from sitting in parliament, forbidden court, imprisoned during the King's pleasure in the Tower, and fined fifty thousand pounds, to be paid to his Majesty, for which sum his estate was to be liable. Strange to say, but ten years embraced his rise and fall. He died in 1645, aged seventy.

	4000 lb.
The improving his maieſties farme of the Frenche wynes to fixtene thouſand poundis, in redie monye, for a fyne, and fix thouſand poundis per annum increaſe of rent, ...	6000 lb.
The improving his maieſties revennewe by faving him eight hundred poundis per annum in the proviſion of the Frenche wynes for his maieſties houſhould, .	800 lb.
The improving the great farme to fower thowſand poundis increaſe of rent, and the loane of eightene thouſand poundis for feaven yeares gratis, which is as good as twoo thowſand poundis annuall increaſe of rent, .	6000 lb.
	16800 lb.

It appeares, by the particulers aboue mentioned, that Sir Lionell Cranfeild hath not onlie improved his maieſties revennewe fixtene thowſand eight hundred poundis per annum, but brought in fixtene thowſand poundis, in redye monye, into his highnes Exchequer, which the farmouris paid for a fyne of the Frenche wyne farme.

Beſides, Sir Lionell Cranfeild, by his induſtrie, prevented the abatement of tenn thowſand poundis per annum, which the farmers intended and had plotted to make vppon the great farme.

XXI.—SIR EDWARD ZOUCHE TO KING JAMES I.

May it please your Maiestie,

That which I receaued your commandement to ſet downe in writing, wherewith I formerly informed yow by word of mouth, was as followeth, videlicet:—

That having bene at Douer, and at the reſt of the fortes belonging to my office (except one), I found the Caſtle of Douer in great decay, and ſome of the towres ruyned, and a gallery which ledde from the kitchen to your owne lodgingis (which, as I am informed, was all leaded) taken away.

I found all the fortes in great decay except Deale Caſtle, the houſe whereof is reaſonably repaired; but that which is of moſt moment for the defence of the ſea neglected, which (as I take it) ſhold haue bene firſt remembred.

The reſt of the caſtles want both in that kind and in the lodgings, ſo as the captens ſome of them cannot conveniently lie dry; and ſuch neglect hath bene, that I feare vpon ſearching, it wilbe more chardgeable to repaire them by far then if they had bene taken in tyme.

In all the fortes abouefayd, there hath bene ſuch placing of both wardens and lieuetenantes ſeruantes in them, which attend not their chardge, and ſuch ſelling of places, who ether place none there for them, or hyer men which haue laboured all day to watch at night, ſo as there can be litle watch well held. And whereas your maieſty hath in pay twelue, ſixtene, or nintene men in a place, there will not be found of a ſoiden two or three to attend theire ſeruice.

Concerning the clerk of the Exchequer here, who hath now more vſe, as he is clerke of the Chancery, he had neede to be a man of ſufficiencie to gather together all records embeaſeled, or (now) ſo far out of order, as it is a pittie to ſee it, conſidering that all writtes paſs through his hands for the gouuernement of theſe Cinque Portes and their members, and alſo any writtes which ſhall come from any of your courtes aboue. I hope yow wilbe pleaſed to honor that place, as yourſelf and your progenitouris haue heretofore done; wherein, though I be the vnworthieſt, yet I deſire to be found as careſull of your ſeruice, as obedient to your commandementis, and as comfortable to thoſe ouer whome I haue command, as any of my predeceſſors; ſo as I may by your fauour be your creature, from whome I acknowledg my riſing and falling, as well as the good or evill ſhall befall the Cinque Portes or their members.

I dyd not omitt to acquaynt your maieſtie with the great decayes that

the ſea doth threaten to the ruyne of ſome of your fortes, as of Moates bullworke, and ſpecially of Arcliffes bullworke, wherewith the toune of Douer may clerely be ouerthrowne; in which I took bouldneſs to remember your maieſtie of a commiſſion to be graunted for the vew thereof, to the end that a parliament may be moued, when yow ſhalbe pleaſed to haue any, to tak dew reguard of the chardge which I feare may coſt ſo much, as your majeſtie may think not fitte to go out of your revenewes: which comiſſioners may alſo, if it ſeeme good to yow, vew the rockes along the ſea coaſt, and conſider whether it be fitte for particuler perſons to haue by paſſages downe to the ſea for their owne private commodities, or to be reduced to ordinary harberyes, whereby paſſengers may paſs at will, without giuing any accompt to juſtice, or being deſcried what men they are.

There is alſo a place (as I am informed) graunted by your majeſtie to one Mr Griffen, the late Lord Privy Seales Secretary, of attendance or aſſiſtance to the Lord Warden there; but he hath attended ſo well, and aſſiſted ſo ill, as that he hath gotten into his hands all that the Lord Privy Seale had gathered for his ſtrength, the good of the gouuernment, or for direction of the ſame, and is ſo far from the aſſiſtance of that place, as he is farre from deliuering of thoſe thingis which do meerely concerne the good of that office, if they were in their right place, and do much hurte to that ſeruice and yow too, if he be not conſtrained to retorne them where they are due, and his place beſtowed where it may do more good to that ſeruice. Thus, humbly craving pardon if I haue erred in any of your commands, or my dueties, I reſt

Your Maieſties humble ſeruant and ſubiect,

E. Zouche.*

[No date.]

* A great favourite of King James VI.; and, if we may credit Sir Anthony Weldon, one of his Majesty's buffoons.

XXII.—SIR FULKE GREVYLL TO KING JAMES I.

May it please your Maiesty,

The grace which you ſhew this poor Iſraelite, at my humble ſuite, is a comfortable pledge to me that I liue truſted and favoured by you: where all I can doe is but dutie, your owne goodnes muſt ſtill merritt for me, againſt which let him be thought a man of accurſed nature that willinglie ſinnes. The ſacrifice his faith and myne can at this tyme offer up to you, is, profitt and preſervation of woods, a delicate parke in Pewſham to hunt in, new coppices in all empaled grounds (for relief of your deere), and an inſtance of good huſbandrie in your navie, which ſwyms upon a waving, wateriſh, and ſwallowing element.

Homer makes the proſpering Gretians to ſhoote vnder ſome goddeſs ſhield: the good endevours of your maieſties humble ſervants muſt, in like maner, liue ſhadowed vnder your owne princelie protectioun, or els quicklie wither. Therfore (Sir), ſince you ſee all ſpiritts thus naturallie appeale to power and wiſdome, be you pleaſed to iudge your owne with mercie, and command

Your Maieſties humble creature and vaſſall,

Fulke Grevyll.*

[No date.]

To the Kinges moſt excellent Maieſtie.

* Of Sir Fulke Grevyll, afterwards Lord Brooke, Walpole obſerves, that "he piqued himſelf most, and it was his chief merit, on being, as he styled himself on his tomb, the friend of Sir Philip Sydney." Lord Brooke had a taste for all kinds of polite learning, and was an author of no inconsiderable merit. His remains were published after his death, under the title of "Certain learned and elegant Workes of the Right Honourable Fulke Lord Brooke, written in his youth and familiar exercise with Sir Philip Sydney. London, small folio. 1633." The first twenty-two pages in this volume, which are said to have contained a treatise on religion, were cancelled, which gives the appearance of imperfection to all the copies. He was also author of a Life of Sydney.

XXIII.—THE DEAN OF SALISBURY TO KING JAMES I.

Please your Gracious Maiestie,

That John Sharpe, Maſter of Artes, hath beene theſe fiue yeares in this countrye, a preaching miniſter, wherein he hath behaued himſelf very well, and is now ſchoole maſter in our cloſe of Salſbery, wher alſo he doeth preach: and if your maieſtie be remembred he did precente an oration and ſome verſes vnto your maieſtie, the laſt time your maieſtie was at Saliſbery,* who hath no hope of preferment, onles yt be by your princelye fauor and gracious helpe. And becauſe one of the prebendes there would beſtow his daughter on him, if your maieſtie would be pleaſed to give him the vacation of his prebende. So humblye beſeeching your maieſtie to further ſuch a good worcke, I pray God to bleſſe your maieſtie with all maner of bleſſing, ſpirituall and temporall.

Your gratious Maieſties moſt humble,
obedient, and faithfull fervant,

Jo. Gordon, Dec. Sarum.†

[No date.]

To the King his moſt gracious Maieſtie.

* Nichols has not been able to give any details in relation to the King's visit to Salisbury. His earliest one was shortly after his accession, when he "complimented the city of Salisbury with a visit, and received the congratulations of his new subjects, from some eloquent mayor or recorder." See Antiquitates Sarisburienses. Salisbury, 1771. 8vo. p. 213. James subsequently visited the city several times.

† John Gordon, Dean of Salisbury, was the author of a Latin hexameter poem, of which a copy is in the British Museum, entituled Elizabethæ Reginæ Manes de Religione et Regno, ad Jacobum Magnum Britanniarum Regem. Per Joannem Gordonium, Britanno-Scotum. Londini, impensis Thomæ Mair. 1604. 4to. pp. 20. He was well-born, being, as the inscription on his tomb bears—"Georgii Huntleæ Comitis ex fratre Alexandro Nepos." In his early years he went to France, where he was Gentleman of the Bed-Chamber to Charles IX., Henry III. and IV. "When 58 years old, King James called him to England, and to the ministry. He had been preferred to the Deanry of Salisbury in 1603–4, and having published several works, died in August 1619." Nichols' Progresses of King James. Vol. i. p. 533.

XXIV.—THE MARQUIS OF HAMILTON TO KING JAMES I.

October 29.

Most Sacred Souereing,

It hes pleſit 3our maieſtie gratiouſly to beſtou upon me many faueuris, quhairof I am altogether vnworthe, taking the occatioun quhair the lois of my lyf micht giue teſtimony of the humbil and faithful hairt I carie to 3our maieſties ſeruice, being borne thairunto, and dereƈtit be my unquhyl lord and father, as his laſt and maiſt pretius commandement, to ſerue God in the profeſſion he had done, and 3our hines vith ane ſincere and obedient zell, I ſhall maiſt curiuſly ſtriue to obſerue thes, and continually pray God for the continuation of 3our maieſties hapines, with ful contentement.

3our Maieſties maiſt humbil, faithful,
and obedient ſubieƈt,

Hamilton.*

Lyons, 29 Oƈtober.

To the King his moſt ſacred Maieſtie.

* James second Marquis of Hamilton, born 1589, died at Whitehall, 2d March 1624–5, in the thirty-sixth year of his age.

LETTERS AND PAPERS
RELATIVE TO IRISH MATTERS.
FROM THE BALFOUR MSS.

I.—JAMES I. TO LORD BALMERINO.

January 16, 1604.

James Rex.

Truſtie and welbeloued coʒin and counſellor, wee greete you well. Having reſolued the proſecution of our purpoſe for the Iſles of Scotland (wherewith you are ſufficiently acquainted), wee have thought good to make choice of Mr George Montgomerie, Deane of Norwich, one of our chaplains for the biſhoprick in the north of Ireland, which wee granted before to Denys Campbell, Deane of Lymerick, and have acquainted him with our pleaſure therein, which wee have done for our manifold ſeruices there, and eſpecially for the intertayning of ſuch correſpondence there with them whome wee ſhall appoint for the ſeruice of the Iſles, as ſhalbee thought conuenient. Wee doe therefore will and command you to acquaint the Earle of Devonſhire and Vifcount Cranborne with our abſolute pleaſure herein, that the ſame may bee without delay diſpatched, and he commanded to prepare himſelfe therevnto, though it bee not to his contentment. And ſo wee bid you hartely farewell. From our Court at Huntington, the 16 of Jan. 1604.

To our truſtie and welbeloued coʒin and counſellor Sir James Elphiſton, knight, Lord Balmerino, and our Secretary of State for our kingdome of Scotland.

II.—JAMES I. TO SIR ARTHUR CHICHESTER, LORD DEPUTY.
December 6, 1605.

James Rex.

Right truſtie and welbeloued, wee greete you well, and let you to witt, that in conſideratione of the ſom of ſixtene hundred thrieſcore eightene pounds, ſix ſhillings, eightpence ſtarling, paid into our Exchequer, by Thomas Ireland of London, merchant, wee are gratiouſly pleaſed to grant vnto the ſaid Thomas Ireland, or ſuch parſon or parſons as he ſhall nomynate in writing, his or their heirs and aſſignes for ever, ſoe much of any of our caſtles, manors, lands, tenements, monaſteries, parſonages, impropriate tithes, fiſhings, and other our hereditaments whatſoever, ſpirituall or temporall, within liberties or without, within that our realme of Ireland, either in poſſeſſion, reuertion, or remainder, which are, or hereafter ſhall come vnto vs by furrender, forfaiture, attainder, eſcheat, concealments, or by any other meanes, in fee farme, as ſhall amount to the cleere yerely value of one hundred poundes currant money of England, by the yeare or thereabouts. And therefore, wee doe hereby authorize and require you, that whenſoever the ſaid Thomas Ireland, or ſuch parſon or parſons as ſhalbee nominated, their heirs or aſſignes, as ſhall preſent vnto you any note or notes of any of the premiſſes whatſoever, you giue him or them preſent meanes to haue the particulars thereof at the hands of our officers there, to whome it appertayneth, without ſuffering any other to paſſe any of the parcells, whereof any notes ſhalbee ſo preſented. Whereof the manors of Moyare, in our countie of Meath, and ſoe much of the lands in the two Ards, in the province of Vlſter, as the ſaid Thomas Ireland, or ſuch as ſhalbee by him nominated, ſhall think fit to be parcell: And therevpon, with the advice of ſome of our learned counſell there, you doe with convenient expeditione make a grant or grants, in due forme of lawe, from vs, our heirs and ſucceſſors, by letters patent vnder the great ſeale of that our

realme, of the ſaid manor of Moyare, and allfoe of foe much of the lands of the two Ards, as the ſaid Thomas Ireland, or ſuch as ſhalbee by him ſo nominated, ſhall think fitt. And allfoe of foe much of our ſaid caſtles, manors, lands, tenements, monaſteries, rectories, parſonages, impropriate tithes, fiſhings, and hereditaments, with all their rights, members, and appurtenances whatſoever, as ſhall amount in the whole to the ſom of one hundred poundes currant money of England, by the yeare or thereabouts, vnto the ſaid Thomas Ireland, or to ſuch as he ſhall ſoe nominate, his or their heirs for ever. Reſerving vnto vs, our heirs and ſucceſſors, for and out of ſuch of the premiſſes as are nowe in chardge, the ancient rent and ſeruice. And for ſuch other parcells of land, and other the premiſſes as are not yet brought into chardge, or wherein our title is to bee found by matter of record, ſuch rents as they ſhalbee valued at by our ſurvayor or other our officers there whome it doth concerne: And to bee holden of vs, our heirs and ſucceſſors, as of our caſtle of Dublyn, in free and common ſocage, which, our will and pleaſure is, ſhalbee rated favourablye, to the end that he or they may receave the full benefit of this our grant. And our further will and pleaſure is, for the conſideratione aforeſaid, that warrant bee given and incerted in our ſaid grant or grants, ſo to bee paſſed from vs, that if any part of the premiſſes by vs to be granted ſhalbee lawfully evicted, that then, vpon notice thereof given, the chief governor or governors, chancellor, or keeper of the great ſeale, of that our realme for the tyme being, ſhall and may from tyme to tyme grant and convay from vs, our heirs and ſucceſſors, by like letters patents vnto the perſon, his heirs and aſſignes, from whome the ſame ſhalbee ſo evicted, ſoe much of other our caſtles, manors, lands, tenements, monaſteries, rectories, parſonages, impropriate tithes, fiſhings, and other hereditaments within that our ſaid realme, as ſhall amount to ſoe much of the premiſſes as ſhalbee ſoe evicted, and vnder the ſame rents and conditions. And theſe our letters, notwithſtanding any want or omiſſion of wordes, that were meete to be incerted, myſnaming or defect, ſhalbee as well to you our nowe deputie, as to any other deputie, or head governor or governors, of that our realme for the time being, and to you our nowe chancellor, and to any other our chancellor and keeper of our great ſeale of that

our realme, likewiſe for the tyme being, and to all and euery our officers and myniſters to whome it may appurtaine, ſufficient warrant and diſchardge in that behalf. Given vnder our ſignet at our pallace of Weſtminſter, the ſixth day of December, in the ſecond yeare of our raigne of Great Britain, France, and Ireland.

To our right truſtie and welbeloued Sir Arthur Chicheſter, knight, our deputie of our realme of Ireland, and to our chancellor there, nowe being, and to any other deputyes, juſtices, or chief governor, chancellor, or keeper of the great ſeale of our ſaid realme, that hereafter for tyme ſhalbee.

III.—JAMES I. TO SIR ARTHUR CHICHESTER, LORD DEPUTY.

April 16, 1606.

James Rex.

Right truſtie and welbeloued, wee greete you well. At the humble ſuite of Con M[c]Neale M[c]Brian Fertagh O'Neale, Eſq., and at the humble ſuite, and in conſideration of the faithfull ſeruice done vnto vs by our welbeloued Hugh Montgomery, Eſq.,* and James Hamilton,† our ſeruante, wee are graciouſlie pleaſed to grant vnto the ſaid James Hamilton, his heirs and aſſignes, the cuntry and territory of Upper Clandeboy and the Great Ardes, and all the caſtles, manors, lands, tenements, and hereditaments in the ſaid cuntry of Clandeboy and the Great Ardes, whereof Neal M[c]Brian Fertagh O'Neale, or his father Brian Fer-

* Afterwards created Viscount Montgomery of the Ardes.

† Created, 4th May 1622, Viscount Clandeboye. He died in 1643. His only son James was created Earl of Clanbrazil, in the county of Armagh, by Charles I. M'Crie erroneously asserts that the father was created an Earl. Life of Melville, vol. ii. p. 407. Second Edition. Edin. 1824, 8vo.

tagh O'Neale, in their life tymes were poſſeſſed or receaved any rente, dutyes, or cuttings for in the province of Vlſter, in that our realme of Ireland. And therefore wee doe hereby authorize and require you to cauſe a grant or grants to bee made in due forme of lawe, by the aduice of ſome of our learned counſell there, by letters patents vnder the great ſeal of that our realme, vnto the ſaid James Hamilton, his heirs and aſſignes for ever, of the ſaid cuntries or territories of Vpper Clandeboy and Great Ardes; and of all the ſaid caſtles, manors, lands, tenements, and hereditaments, with all their rights, members, and appurtenances, togither with one market every Thurſday weekly, and one faire vpon the feaſt day of St John Baptiſt, and for two dayes after the ſaid feaſt day yeerely; and with one court baron and one court leete yeerely, to bee held at Caſtle Keogh, parcell of the premiſes, togither alſoe with two other marketts and faires for the like tyme, either of them. Court leetes and court barons to bee held within the ſaid territories and lands, and inſerted in the ſaid letters patents, where the ſaid James Hamilton ſhall nominate and appoint. Yealding vnto vs, our heires and ſucceſſors, for the ſaid territories, caſtles, manors, lands, tenements, and hereditaments, one hundreth poundes currant money of that our realme of Ireland, at the receipt of our Exchequer there, at two uſual feaſts yeerely, and to bee holden of vs, our heires and ſucceſſors, as of our Caſtle of Carrickfergus, in free ſocage, and by ten horſemen and twentie footemen well furniſhed for our ſeruice for fortie dayes yeerely, every generall hoſting to bee made in parſon by our lieftenant and deputie generall of that our realme for all maner of other rents and dutyes. And for that the ſaid James Hamilton doth, for him and his heires and aſſignes, promiſe to vs to inhabit the ſaid territories and lands with Engliſh or Scotiſhmen, our farther will and pleaſure is, and wee doe hereby require and authorize you, for the better inableing of the ſaid James Hamilton, his heirs and aſſignes, to inhabite the ſaid territories and lands as aforeſaid, being now depopulated and waſted, and to pay and performe the ſaid rent and ſeruice. To grant for vs, our heirs and ſucceſſors, by the ſaid letters patents, that the ſaid James Hamilton, his heirs and aſſignes, ſhall and may, from tyme to tyme, tranſport and convay all ſuch corne, commodities, and benefitts as ſhall growe, and bee in

and vpon the ſaid territories and lands, into any part of our domynions, and to all other cuntries being in league and amytie with vs, our heirs and ſucceſſors (our garriſons in that realme being firſt vpon requeſt furniſhed at our price with corne and victualls). And to cary men, catle, corne, and all other commodities, out of our realme of England and Scotland into the ſaid territories and lands, paying vnto vs, our heirs and ſucceſſors, the vſuall cuſtomes for the ſame, except it ſhalbee thought fit by vs, or our deputie and counſell there, vpon any eſpeciall cauſe to reſtraine the tranſportation of any ſuch corne or other commodityes. And alſoe, that it ſhall and may bee lawfull to and for the ſaid James Hamilton, his heirs and aſſignees, to alyen the ſaid territories and lands, or any part thereof, to any parſon or parſons, being Engliſhe or Scotiſhmen, or of the Engliſhe and Scotiſh bloud and name, and not to any of the meere Iriſh (excepting the ſaid Con O'Neale and his heirs, to bee holden of the ſaid James Hamilton, his heirs and aſſignes, by ſuch rents and ſeruices as the ſaid James Hamilton, his heirs and aſſignes, ſhall reſerue), without the licence of vs, our heirs and ſucceſſors. And for the better effecting of this our gracious intention, wee doe require you forthwith to direct a commiſſion vnder the great ſeal of that our realme to ſome of our learned counſell there, and to our ſurvayer and eſcheator generall, or their deputies, or to any two of them, for the inquirie by enqueſt of the ſtate, contents, and lymitts of the ſaid territories and lands and hereditaments, and therevpon with expedition to make a grant or grants from vs, our heirs and ſucceſſors, of the premiſſes vnto the ſaid James Hamilton, his heirs and aſſignes, as aforeſaid. And for that wee will not haue our reſolued ſeruice herein altered, we require you to effect this our pleaſure without delay, which wee haue given in chardge to our ſaid ſervant to followe, and to make his ſpeedy returne to vs. And if any grant or grants haue formerlie bene made of the ſame or of any part thereof, to make ſtay of it, if the ſame bee not paſt our ſeale. And theſe our letters ſhalbee, as well to you our deputie, and to our chancellor there being, as to any other deputie, juſtice, or chief governor, chancellor, or keeper of the greate ſeale of our ſaid realme, that hereafter for the tyme ſhalbee, and to all other our officers and miniſters there to whome it may appertaine,

ſufficient warrant and diſchardge in this behalf. Given vnder our ſignet at our manor of Greenewich, the xvith day of Aprill, in the third yeare of our raigne of England, France, and Ireland, and of Scotland the 38th.

To our truſtie and welbeloued Sir Arthur Chicheſter, knight, our deputy of our kingdome of Ireland, and to our chancellor there nowe being, and to any other deputie, juſtice, or chief governor, chancellor, or keeper of the great ſeale of our ſaid realme, that hereafter for the tyme ſhalbee, and to all other officers and mynifters there to whome it may appertaine.

IV.—THE OFFER OF SIR HUGH MONTGOMERY UNTO SIR JAMES HAMILTON.

The 4 townes reſerued to me by the Earles decree (in reſpect that there is to be paid out of them the half of Con O'Neales rent to the king, which half in currant money of England doth amount to 8 ℔. 18s. 6d.), I value but at 8 ℔. per ann. a towne; and in regaird of the biſhops claimes, I value them all but at 10 yeares purchaſe, and ſoe I doe aſſeſſe them at 32 ℔. ſterl.

The moitie of the woods diſcerned to me by the ſaid decree, I have already leaſed to Edwards for 31 yeares, of which leaſe 27 yeares are yet to come; in which I have receaved an annuall rent of 60 ℔. ſtarl., and half a tonne of iron yearely, which I eſteam at 7 ℔. ſtarl. p. annum, with liberty to cut ſoe much tymber as is neceſſary for myne and my tenants buildings.

The reuertion of this leaſe, by reaſon of thoſe beneficiall reſerua-

tions annexed vnto it, I value at 10 yeares purchaſe of that rent it nowe yealdeth—viz. 67ℓb. p. ann., which amounteth vnto 670ℓb.

The reuertion of all the reſt of the Slutneales of the demeſnes of Caſtlereagh, and of Con O'Neal's lands in the Kellyes, I value at 300ℓb.

Soe that I value this whole moiety at 1290ℓb.

At which rate (if Sir James accept it), he is to giue me 2290ℓb., whereof I demaund preſent payment for theſe reaſonable cauſes—viz.:

Firſt, For that the purchaſe from Con O'Neale hath not onelie coſt me aboue 2000ℓb. of money and other conſiderations (as by Con his deede is evident), but allſoe for that I can directly prooue that beſide this Con hath receaved contynuall and daily benefits from me in money, horſes, cloathes, and other prouiſions of good value, and allſoe hath bene chardgeable vnto me in diuers other diſburſements; which chardge of myne ought in reaſon to bee reſpected in this contract, otherwiſe it will fall out that I haue ſupplied his wants to my owne loſſe, and other men's proffit.

Secondlie, Of this ſoe decrely bought, I ſhall yeald to Sir James a preſent and peaceable poſſeſſion, and good right purchaſed by me with love and favour, and at the ſuite of the true owner, which in that cuntry is noe ſmall advantage and commodity. Sir James his lot of the towne-lands, and of the reuertion of Con his poſſeſſion, is equal with myne by vertue of the decree; but his woods are noe way comparable, for that the half of the woods that are ſet to Mr. Nath. Edwards, and diſcerned to me by the decree, are that half that is onely proper and meete for the iron-works, and are the woods wherein the great tymber doth ſtand, and ſuffi-cient to furniſh the ironworks; and the other half, diſcerned to Sir James, is not onely altogether farr from them, but allſoe from all poſſibility to ſet any ſuch works vpon, and neither neere water nor ſale. Out of which allſoe I have reſerved liberty for me to cut oaken tymber for my owne proper building, and repairing of my churches, by the ſaid decree, which will conſume two parts of the whole tymber growing in the ſaid woods, ſoe as I can not value his woods far aboue 150ℓb. at the moſt.

Laſtlie, He felleth me nothing but that which is allreadie my owne right, and in my owne poſſeſſion, wherevnto he hath no title, but only by the poſſibility of a decree, by him moſt indirectly procured, though without blemiſh to the nobleman who made it, and whether it be effectual in lawe or not, I knowe not.

Vpon which groundes, I hope it wilbee thought reaſonable, that if he refuſe to buy, I may have ſome good tyme given me for the payment of my money to him for my part, being above 500lb. ſtarl. better then his, ſoe as he ſhall haue a great bargaine, whether he accepts of the lands or the money.

V.—THE LORD DEPUTY CHICHESTER TO KING JAMES I.

December 21, 1614.

It maye please your Maiestie,

By my letters of the 28th of November, I gaue you to underſtand the paſſages of the parlyament to that time, and becauſe the bills of ſubſidie, which wee had ſo longe expected, were not then likely to arriue in anie deue tyme, and that all the other bills had byne rune thorough in ſome ſort, I was, at the inſtance of the Lords and Commons, induced to prorogue the next ſittinge to the laſt of Januarie next, which I did, within foure days after. Had thoſe bills come in ſeaſon, we woulde haue taſted your ſubiects good affections in that kinde, by propoundinge of them before wee had parted; but I am now told by ſome of the recuſants, to whom I geue creaditt as farre as is ſittinge to men adverſe unto us in religion, that ſome ſtiffe oppoſition will be geuen unto your maieſties profitt in that kinde, unleſſe certayne bills conceiued by the Houſe of Commons, for the eaſe of your ſubiects againſt the greedie exactions of ſome clarkes and inferior officers, and other profeatable for the commonwealth, be recommended by me, and your councell to be allowed and propounded likewiſe; to which I haue aſſented for ſuch of them as are fit-

tinge to be made laues, if it ſo pleaſe your maieſtie, and will tranſmitt them aſſone as they can be made readie for the ſeale, and if they maye be retorned unto us in deue tyme, I wiſh (if it ſhall ſo pleaſe your maieſtie) that the houſe maye mete againe the laſt of Januarie, as it is appointed; if they come not, wee haue no bills to reade but thoſe of the ſubſidie only, and unleſſe they be accompanied with ſome of thoſe att leſt, ſo recommended by them too me, I haue reaſon to doubt the good ſucceaſſe of them; and therfor I humbly praye, if thoſe bills can not be retorned by that daye, that it will pleaſe your maieſtie to prorogue the next ſittinge to Tueſday the 18th of Aprill.

Amonge the bills not paſt, by reaſon of ſome notable defects or inconuenience in them contayned, ther was one conceiued for the repealinge of a ſtatute made in the raigne of Phillipe and Marie againſt the bringinge in of Scotts into this realme, and marrienge with them: the ſame bad paſt undoubtedly with good allowance, as it was to be wyſhed, if it had not byne accompanied with other matters in the ſame bill contayned, which they woulde not lett paſſe without ſome alterations and amendments, I haue now tranſmitted that bill againe under the great ſeale, freed from, I hope, incumbrances, to be retorned, if it ſhall pleaſe your maieſtie to be propounded the next ſittinge.

I hope your maieſtie is advertiſed, from tyme to tyme, of the ſucceaſſe of your forces in Ila; they went hence 17 dayes ſince, but by reaſon of contrarie wyndes and fowle weather, I haue not heard from them ſince they landed ther.

This noble lord, your maieſties ſervant, the Earl of Thomond, is enforced to repayr thether, by the current of his own occaſions, he needs your maieſties princely ſupport, for his zeale to your ſervice hath drawne the malice of moſt of the powerfulleſt of his contriemen vpon him.

I haue prayd him to informe your maieſtie, that the expectation of a ſubſidie to be graunted by the Houſe of Parlyament, hath byne the occaſion of the ſtaye of your ſubiects reſolutions in the matter of free contribution towards your expences for the defence of this kingdome: if you fayle of the one, your maieſtie will haue the other, I doubt not.

The Earle of Ormonde is nowe upon his departure from hence towards

your majeſtie. Amonge his other ſutes, I am well aſſured he will remember that for the confirmation of the libertie of Typperarie, the tyme preſents itſelfe verie fittly if it pleaſe your maieſtie to reſtrayne what the earles of that houſe haue aſſumed beyond the preuiledge geuen them by charter, and to ſettle that affayre ſo greatly importinge your ſervice, that it yeelde not powre to free will hereafter to rule and raigne over your ſubiects ther. In this and all thinges elſe, I ſhall moſt humbly attende your maieſties directions, and performe the ſame with all care and dilligence, as I am moſt bounden ſo to doe.

Sire,

Your Maieſties humble and obedient
ſubiect and ſervant,

ARTHUR CHICHESTER.*

From your Maieſties Caſtle of Dublyn,
the 21 of December 1614.

* Sir Arthur Chichester was, by patent, dated 1st February 1603, made Lord Deputy of Ireland. On the 23d of February 1612, he was created an Irish peer, by the title of Lord Chichester of Belfast. Upon quitting the high office of Deputy, in November 1615, he was, on the 13th of July following, constituted Lord High Treasurer of Ireland. In May 1622, he was sent ambassador to the Palatinate. He died in London, 19th February 1624, without surviving issue, whereby the Barony of Chichester of Belfast became extinct. His brother, Sir Edward, succeeded to his estates, and was created by Charles I. Viscount Chichester of Carrickfergus. From him the present Marquis of Donegal is descended.

VI.—THE LORD DEPUTY CHICHESTER TO KING JAMES I.

September 22, 1615.

Maye it please your Maiestie,

I haue ſpent the moſt part of this ſommer about the inquiſition of your maieſties tytles, and of the tytles of the natiues and preſent poſſeſſors of the lands within the counties of Longford and Leytrim, and ſome other Iriſh counties and territories yet vnſettled, and makinge of exact ſurvayes of them as by your maieſties letters of the 12th of Aprill laſt I was required; I finde the reducinge of what wee haue done and obſerued in that iorney into a meathode and forme fitt to be preſented to your maieſtie, a work of greater trouble and labore then can be ſuddaynly perfected. In the meane tyme, it may pleaſe your maieſtie to conceiue ſo well of my endevours therin with thoſe ioyned in commiſſion with me, as that the ſame will in ſome meaſure be aunſuerable vnto the expectation your maieſtie hath of it, tutchinge the increaſe of your highnes reveeneues within thoſe counties, and the ſettlement of the dependency of the natiues immediately upon the croune, without adhæringe vnto the unruly and vndeutifull Iriſh lords as in former tymes they haue done, as I hope it will better appeare vpon viewe and conſideration of what is done when it ſhalbe preſented vnto your maieſtie.

When I had ended what I had in charge in that employment, I tooke my iorney out of the countie of Leytrim into Vlſter, wher, in the counties of Tyronne and London-derrie, I found the Britiſh vndertakers of the barronies of Dungannon and Loagheinſholyn greatly feared and perplexed with certayne wood kearnes and outlawes to the number of 40 (as they tolde me), who, beinge poor and wanting meanes to liue, or otherwiſe preſſed with the conſcience and guilt of capitale offences com-

mitted, had betaken themſelues to their keepinges (as they terme it), and out of the woods and othir places of ſtrenth did vſually roob them and the paſſengers that waye, and had killed ſome carpenters and other workmen, ſuch eſpecially as reſiſted them in the attempts which they made for ſpoyle or ſuſtenance.

The neew plantators, unacquanted with daungers of this kinde, and timorous to reſiſt or ſerue vpon them, had deſiſted from their workes, and in ſome parts abandoned the places wher they had ſett vpe the frames of their houſſes, and ment to inhabite. The principale undertakers gaue me to underſtand that their vndertennants were inclyned and bent to returne from whence they came, except ther were order taken for thair ſafties before the approch of winter, when thoſe rebells might increaſſe and offend them more, as their manner is when they are thereto inclined.

To free them from thoſe doubts and daungers, I employed ſeuerall parties of men to ſcarch after them, and to ſerue vpon them, by which I gott the heads of two or three of them, but, ſeeinge no likelihood to prevayle effectually by thoſe courſes in that ſhort tyme I was to ſtay in thoſe parts, upon humble ſute, and att the inſtance of ſome of their friends, I permitted them to repayre vnto me, and gaue them my word of ſafe retorninge, if I accepted not of their ſubmiſſion, after I had ſpoken with them: wherupon they haſtned vnto me, and made ſuch demonſtration of repentance of the faults they had committed, and ſuch profeſſion of future loyaltie, that I was content to retayne them with me, and to place them for the preſent upon ſome lands of myne owne, thoe to my loſſe, and much againſt my will, if I had had tyme or other meanes to cutt them off, in reguard of the ill preceedent therof, and boldnes that others as ill minded as themſelues maye aſſume, in hope of like beneficiall conditions and impunitie.

Att my entrance into that provence, I underſtoode that the inhabitants ther, in aſſeſſinge and taxinge of the ſubſidie, were apt and inclyned to immetate the bade example geuen them by thoſe of the provence of Leynſter, and eſpecially in this countie of Dublyn, wher thoſe intruſted with the buſines were more percimonious and ſparinge in chargeinge of themſelues and others, then in deutie they ought to haue byne, and farr

differinge from what ſome of them had formerly profeſſed; but I haue ſo dealt either by word or writinge, with the principale gentlemen and natiues of that provence, that I hope they will noue yeeld a more liberall contribution, then otherwiſe they were inclyned to doe; and if the other counties of the kingdome, who, by reaſon of ſcituation, trade, and commerce, are farr better able than wee your ſubiects of that provence, doe aſſeſs themſelues proportionally with us, this ſubſedie will amount to fiue or ſix and thirtie thouſand pounds ſterlinge. But I doubt thoſe that are beſt able wilbe moſt penurious, albeit I haue quickened them generally by my letters ſince my retourne. I expect to underſtand the certayne ſome of the whole within theſe ten dayes, the firſt of October beinge geuen by the act for the retourne therof, and then will I diſſolue the parlyament, as by your maieſties letters of the 22d of Auguſt I am directed: if I ſhoulde publyſh it ſooner, I conceive it wilbe diſprofeatable in the ſubſedie, beinge well aſſured that the neeues of it wilbe vnwellcome vnto manie of the aſſeſſors therof.

I haue heretofore aduertiſed your maieſtie of the diſcouerie and apprehenſion of certayne conſpirators that intended to make an inſurrection in Vlſter in Maye laſt: it maye pleaſe your maieſtie to vnderſtand further, that wheras ſix of them were arrayned and condemned att the laſt aſſices, hoolden at London-Derrie, the judges ſuſpended the execution of fiue of them, wherof one was a prieſt who mineſtred vnto the reſt the oath of ſecreaſie. Vpon conference had with Sir Dominick Sarffeilde* (one of the judges of that cercuitt), in preſence of your Priue Councell here, who confeſſed that he was fully ſatiſfied in conſcience, concerninge the points of evidence and juſtice to be done: and for that wee knoue them to be men apt to riſe with everie ſtorme that ſhall threaten us, and of the brood of rebles who will neuer be loyall, nor conforme themſelues to anie lawdable or ciuell courſe of life, wee haue directed the ſayd judges to geue order for their execution, which they haue done; and the rather for feare they ſhoulde breake priſon, and ſo eſcape to Sir James M^cConnell

* Afterwards created Viscount Kilmallock in 1625.

and other Scotiſh rebels, vnto whom they were nere neighbours, and ſome of them were of kindred and alliance.

Alexander McDonnell (nephewe to Sir Randall McDonnell),* who, by the confeſſion of ſome of the reſt, was appointed to be the head of the faction, and intended rebellion, ſtands acquit by verdict; he dayly importunes me for his libertie, but I will detayne him vntill I have ſufficient caution for his good demeanor and future loyaltie; and the rather for that, his younger brother named Surley, is now a notable villaine with Sir James McConnell in Kentyre. If your maieſtie pleaſe to requyre further ſatiſfaction concerninge that buſines, Sir Dominick Sarffeild and Sir John Davis, who were judges of the cercuitt, and nowe in Englande, maye geue your maieſtie particulare information theron.

And ſo, with my hartie prayers for the longe continewinge of your maieſtie in health, and fælicitie to raigne over us, I am

Your Maieſties moſt humble and obedient
ſubiect and ſervant,

Arthur Chichester.

Att your Maieſties Caſtle of Dublyn,
the 22d of Sep. 1615.

VII.—PETITION OF WALTER EARL OF ORMONDE.

To the Kinges moste Excellente Maiestie, the humble Petition of the Earl of Ormonde,

Moſt humblie ſheweth to your maieſtie, That where, at the inſtance of the Lord Dingwell and his Lady, by your maieſties ſpeciall

* Created, 1618, Viscount Dunluce, and 1620, Earl of Antrim.

commandement, Sir John Euerarde, Knight, is come into Englande, and inhibited to have anie acceſſe to the Lorde Dingwell, or the petitioner, untill your highneſs maie be pleaſed to have conference with him, at which tyme happelie your maieſtie will not commande your petitioners attendance: it maie therefore pleaſe your maieſtie, for the better clearing of all doubtes touching the differences now depending betweene the Lord Dingwell and the petitioner, to propounde theis enſuinge articles or queſtions to Sir John Euerarde, and alſoe to Mr Robert Roth, when he ſhall come hither.

Firſt, Whether the Lord Cheif Juſtice of the Common Pleas in Ireland, of late deceaſed, Sir John Euerard and Mr Roth, vpon the agreement and ſubmiſſion of the late deceaſed Earle, and your petitioner of the one parties, and the Lady Dingwell, beinge then in hir viduity, of the other partie, did conceaue an order that ſhe ſhould delyver vpp all the writinges, evidences, and charters, which ſhe hath concerning the lands in the county of Catherlagh belonging to hir late huſbande the Lord Viſcount Tulloe,* and ſuch other writings and evidences which ſhe had or ſhould have concerning anie other parte of the ſaide Earles landes.

Whether it was the meaning and intention of the deceaſed Earle, father to the Lady Dingwell, and of the ſaid arbitrators, to conclude the Lady Dingwell for all other tytles or pretences ſaueing the eſtate of 800li. which is much more in yearly value: and what moued the ſaids arbitrators to order the paymente of the Lord Viſcount Tulloes debtes vppon the petitioner, amounting, as is ſuggeſted, to the ſum of 3000li., to which the petitioner was not liable by lawe or equitie.

Whether the ſaid arbitrators, amongſt other ſeverall motyues, were not enduced to make the ſaide order, vpon view and conſideracion of ſome of the Lords of the Councells letter by expreſſe direction from the late Queenes maieſtie,† ſent to the late Earle of Ormonde, perſwading him, in her maieſties name, to entaill all his auntient inheritaunce to the heirs

* Theobald Butler, nephew of Thomas tenth Earl of Ormonde. He was, 4th August 1603, created Viscount Butler of Tulleophelim, in the county of Carlow. He married the Earl's only surviving daughter, the Lady Elizabeth Butler, but died without issue in 1613.

† Elizabeth.

males of his blood and familie, and out of his fee ſimple landes, to convey to his daughter the Lady Dingwell, and to the heires of hir bodie, after his owne deceaſe, an eſtate of 800lb. per annum.

Whether, by the ſaide letters, the Lords of the Counceill directed that the ſaide feuerall conveyaunces ſhoulde be done with the advife and priuitie of Juſtice Walſhe and Juſtice Euerard, and they to certifie the ſame to be dulie executed to the Lord Coke (then the Queens Attourney), and to Mr Wilbraham, which accordingly they haue purſued in all pointes. Which articles the petitioner, in all humility, doth offer to your maieſties moſt royall and moſt gracious conſideration.*

VIII.—A BRIEFFE OF SUCH THINGES AS I DOE MOST HUMBLIE DESIRE YOUR MAIESTIE TO PLEASE TO TAKE INTO YOUR ROYALL CONSIDERATION.

My late father and myſelf haue, with all our beſt endeavours, ſerued your maieſtie both in the late Queens tyme, and ſithence, to both our great charges, and myne extreame perrill.

Videlicet, Att ſuch tyme as the late Earle of Eſſex was executed, my Lord of Marre, my Lord of Kinneloſſe, now dead, and Sir David Foulles,

* The cause of these disputes was as follows :—Thomas, tenth Earl of Ormonde, left an only daughter, who, as before noticed, married her cousin. Upon his demise she married Sir Richard Preston, a favourite of King James, and by him created Lord Dingwall, in Scotland, and Earl of Desmond, in Ireland. Upon the demise of Earl Thomas, his honours devolved on Sir Walter Butler of Kilcash, who became the eleventh earl, and as the estates were entailed on the heir-male, he ought to have succeeded to them, but was impeded by Lord Desmond; and the King, who was never more happy than when employed in settling family disputes according to his own peculiar notions of equity, made an award unfavourable to Ormonde, who, refusing to recognize the right of his Majesty to interfere, had his estate seized upon, and was himself committed to the Fleet, where he continued for many years. Eventually, his grandson, James, the first Duke of Ormonde, one of the greatest men of his day, terminated the family disputes, by marrying, in 1629, the Lady Elizabeth Preston, the only child of the Earl of Desmond. Earl Walter married Helena, second daughter of Edmond, second Viscount Mountgarret, and died 24th February 1632. From him the present Marquis of Ormonde is descended.

were ſent in Embaſſadge to the late Queene, theis, in one conference amongſt divers others, with my father and me, did greatlie wiſhe ſome good meanes to be founde, to furniſhe your maieſtie with a rounde ſum of money.

Many debates there were to that purpoſe, and noe likely way could be thought off, till I offered to hazard my life and eſtate, to attempte to take from the Turke (who is enemy to God and man) his treaſure, and to lay it doune (being taken) att your maieſties feete. This proient was allowed, and liked.

Whereuppon, I rode firſt to Florens, and putt myſelf into ſeruice of that Duke, for the better countenance of my buſines, and to haue a randevous where to refreſhe myſelf and my men.

Att my returne from thence, I mett Sir Thomas Erſkine, now Lord Fenton, att Paris, and by expreſſe commaund from your maieſtie, I made relation unto him of myne expedition in this buſines, whoe did well allowe of it.

Att his retourne into Scotland att that tyme, he paſſed through England, and was twice att my father his houſe in the Blackfriers, and did att both tymes ſpurre on this enterprize.

Then I provided for it, and went to ſea with five ſhippes well furniſhed, and was ouerthrowen by ſtormes and contrarie wynds, after which I ſett out three ſhippes, and with them I entered into the Streightes.

Both theis voyages coſt my father fowerteene thowſand poundes (for which I am yet the poorer). This charge I can prove by accompte.

In this latter, I was by my men betrayed and taken priſoner by the Turkes, where [I] continued three yeares in moſt vnſpeakable miſerie, ſuch as I would not endure againe for tenn thouſand poundes, as poore as I am.

Whileſt I was in this barbarous captiuitie the queen dyed, and my father (God his pleaſure being ſuch) made the worſt bargaine with your maieſtie that euer was, and ſuch a one as noe man lyvinge will make the lyke: he obtained from your maieſtie one thowſand poundes a yeare, in parſonadges, in fee farme, for which he doubled the rents, and bound the parſonages to pay one thowſand poundes a yeere for euer, and his land

the other. Theis parfonagis he folde all, and lefte my lande bounde to pay this furplifage of rent without any comforte, but all the loffe that this vnhappie bargaine yeelded.

My father being a man off an excellent and workinge witt, did find out the devife for making of barronets, which brought to your maieſties coffers well nighe a hundred thoufand poundes, for which he was promifed by the late Lord of Salifbury, Lord Treafurer, a good recompence, whiche he never had.

It once pleafed your maieſtie, in conſideration of the great loffes fuſtened by my father and myſelf, moſt gratiouſlie to give unto my father a graunte of concealed alienations, by which meanes we both hoped to haue recovered our great loffes. In the ripeninge of this buſines, and bringing it to a head fitt to yeeld profitt, my father ſpent two thowſand pounds; and then when he was even readie to have received ſome benefitt by it, the graunt was taken from him by the violent inſtigation of the late Earle of Northampton.*

When I returned againe from my longe and tedious captiuitie, your maieſtie was gratiouſly pleaſed to affoord me good countenance, gratious wordes, and to pitie and commiſſirate my miſerable eſtate, but never gaue me the worthe of one groate.

When God pleaſed to take my father to his mercie, I went to the court with a purpoſe to become an humble ſuitor to your maieſtie for a releaſe of my rent; then the Earle of Somerſet being in greate favour, croſſed my ſuite, and begged it for himſelf.

With this I compounded, and haue paid him the whole ſome agreed, ſaving feauen thowſand poundes, for rayſing of which money already paid, I was forced to fell lands at half the valewe, to myne utter vndoinge: he was greedie and earneſt, and my land a ſubiect to ſoe many croſs entanglements, as very few would buy any of it, and thoſe fewe would not deale but vppon verie vnreaſonable conditions.†

* Lord Henry Howard, who conducted the secret correspondence with Cecil, during the lifetime of Queen Elizabeth. He was created Earl of Northampton by James, and retained by his address the King's favour during his life.

† His Majesty's displeasure towards the Earl would not probably be diminished by this amusing,

IX.—THE PRIVY COUNCIL OF IRELAND TO KING JAMES I.

November 26, 1624.

May it please your most Excellent Maiestie,

Your maieftie, by your letters of the xxviii[th] of Aprill, and the xvi[th] of July laft, hath commaunded vs to heere and determine all differences betwixt the Lord Balfoure and the Lord Blayney,* and to compofe them in a peaceable and frendly manner.

but injudicious statement of grievances, in which the King's ingratitude is somewhat distinctly insinuated. Sir Egerton Brydges, in his edition of Collins' Peerage, has made an evident mistake in his pedigree of Earl Walter, whom he represents as the son of John Butler of Kilcash, who died in 1570. Vol. ix. p. 99. This cannot be, as the Earl talks of his father as in life long after the accession of James the First.

* Sir Edward Blayney was, upon the 29th of July 1621, created an Irish baron. He is the ancestor of the present Lord Blayney. James Balfour, of the Burleigh family in Scotland, was created in Ireland, in 1619, Lord Balfour of Clonawley. The title became extinct in 1634. The following account, by Bishop Spottiswood, will explain the nature of Balfour's disputes with Lord Blayney:—

"Soone after the Bishopp of Clogher his cominge to Ireland, the Lord Balfour, though an antient man of great age, he was suitor to the Lord Blaney's eldest daughter, a girle of 15 yeares ould; and thoughe the Lord Blaney was informed that Balfour had a ladye livinge still in Scotland, yet Balfour affirminge he was divorced from her, Primat Hampton advised the Lord of Blaney, who was doubtfull what he might doe, that there was no danger, and for his better resolucion, went in person to Castleblaney, and ioyned them togither. The portion the Lord Blaney promised with his daughter was, as he affirmed, no more but 1200[lb], and that Balfour would needs have 2000 named, promiseing to give a discharge of the other 800: But when the discharge was demanded after the marriage celebrat, which was done on both sydes with more hast than good speede, Balfour refused it —quarrelled with Robert Blaney, who urged it—alledgeinge that Robert had abused his wyef both before his marriage with her and after. The young ladye herselfe was brought to acknowledge no lesse. Her friends alledged shee was forced to confesse what her lord pleased, or was bewitched, complained to the Lord Deputie and estate of the abuse, and gott the young ladye to be sequestrat

In humble obedience to your royall pleaſure therein, wee have, at ſeverall tymes, ſeverally treated with them to that effect; and havinge hearde at large what eyther of them coulde ſay for themſelves in that poynt concerning the portione and joynture, which as it was the firſt, ſoe wee ſuppoſed that it woulde bee the difference of the greateſt conſequence that woulde riſe vpp betwixt them, or fall within our power to decyde.

And havinge, vppon mature deliberation, layde downe ſuch an order betwixt them as wee thought moſt equall and indifferent, wee did call them before vs, acquainted them with it, and mediated a ſubmiſſion vnto it from them both.

The Lord Balfowre, as from the beginninge, ſoe at that inſtance, did make his humble profeſſions, that by your maieſties commaund hee was return'd hither, and to your commaunds hee was and woulde bee ſoe obedient, that to whatſoeuer wee ſhould think fitt, by your maieſties directions, to impoſe vppon him, hee woulde readely and cheerefully ſubmitt himſelffe.

The Lord Blayney, on the other ſyde, though he ſeemed not vnwillinge to enter into tearmes of peace and concord, yett hee did it not ſoe freely as the Lord Balfowre: And concerninge the order itſelfe, hee did at firſt heere it with cautions and reſtrictions, afterwards with vowes and proteſtations, that his wants woulde not ſuffer him to gyve aſſent vnto it, butt did tender a certen relatione of the buſynes, and propoſitione of his owne vnder his hande, which, together with the order ſigned by vs and the Lord Balfowre, wee doe heerewith humbly preſent to your maieſtie, to whoſe high wiſdom wee leave the conſideratione of them both; which, as it is beſt able to judge, ſoe whenſoever wee ſhalbee further directed by it, wee ſhall ſhewe ourſelves the miniſters of obedience to your facred

from her lord; whereuppon the Lord Balfour complayned to the Kinge, that the estate was partiall with the Lord Blaney, and had a commission sent from England to examine the cause, and so certifie his maiestie of the truthe of all things." A Breefe Memoriall of the Lyfe and Death of Dr James Spottiswood, edited by Sir Alexander Boswell. Edin. 1811. 4to.

will and pleaſure, eyther in this particuler, or any other ſervice wherein your maieſtie ſhalbee pleaſed to imploye vs.*

Your Maieſties moſt humble and loyall ſubiects and ſeruants,

H. Falkland.†
La. Dublin.
Hen. Docwra.‡
Fra^s. Blundell.

From your Maieſties Caſtle of Dublin, the 26 of Nouember 1624.

* The following is an extract from a letter relative to the disputes between Lords Blayney and Balfour, by Christopher Hampton, Archbishop of Armagh, who died shortly afterwards (probably in December 1624), to King James I. :—

"Your maiesties deputie did me the honer to send me a copie of your princelie letters, for the appointment between the Lord Balfour and the Lord Blaney, wherein you make demonstracion that you are a tender father, and a just kinge vnto them both. I had the commoditie, likewise, to advise the Lord Blaney that he shold giue your maiestie satisfaction. What effect hath followed will com to your highnes by other mens pennis, that were actors in that busnes, which I could not performe by reason of my years and infirmities."—"There ought to be no contesting by the subiect with the prince. Obedience is the mother of all vertues." He concludes by anticipating that his "paines" will make this his last letter to the King.

† Sir Henry Carey, first Viscount Falkland, was Lord Deputy of Ireland from 1622 to 1629. He died in September 1633, in consequence of breaking his leg on a stand in Theobald's Park. He was, says Lloyd, in his State Worthies, "a most accomplished gentleman, and a complete courtier."

‡ Sir Henry Docwra, created in 1620 Lord Docwra of Coolmore, a title now extinct.

SATIRE AGAINST SCOTLAND.

In the year 1809, Sir Walter Scott reprinted, under the general title of the Secret History of the Court of James I., various Memoirs illustrative of the reign of that Monarch. Amongst these, he included from the first edition, 1651, "The Court and Character of King James," written by Sir Anthony Weldon. To this he added, as the production of the same author, "A Perfect Description of the People and Country of Scotland," from an edition printed at London in 1659, in 24mo.*

Although the name of the writer was neither given on the title-page, nor was there any thing like positive evidence to fix the authorship upon Weldon, Sir Walter seems to have entertained no doubt upon the subject, relying, as he says, upon internal proof, and upon a statement made by Anthony à Wood, that Sir Anthony had got into disgrace at court, in consequence of a libel written by him, upon the Scotish nation, having been found inadvertently wrapped up in a record of the Board of Green Cloth, of which he was one of the clerks.

The passage in Wood is as follows:—"The author of the said *Court and Character* was one Sir Anth. Weldon of Kent, whose parent took rise from Queen Elizabeth's kitchen, and left it a legacy for preferment of his issue. Sir Anthony went the same way, and by grace of the Court got up to the Greencloth, in which place, attending King James into Scotland, he practised there to libel that nation. Which, at his return home, was found wrapt up in a record of that Board; and by the hand being known to be his, he was deservedly removed from his place, as unworthy to eat his bread, whose birthright he had so vilely defamed, yet by favour of the King, with a piece of money in his purse, and a pension to boot, to preserve him loyal during his life, though, as a bad creditor, he took this course to repay him to the purpose."†

Where Wood got his information does not appear, but he is inaccurate in his insinuation as to the low origin of Weldon, who was a man of good family, and

* The late Mr Nichols has inserted, with certain omissions, this satire in his collection of the progresses of King James I. as the veritable production of Sir Anthony, although the MS. from which he has printed it does not afford any proof whatever of his assertion. He seems evidently to have relied on the authority of Scott.

† Wood's Athenæ Oxonienses. Edition by Philip Bliss, D.D. Lond. 1815, 4to. Vol. ii. p. 868.

the grandson of Edward Weldon, Master of the Household to King Henry VIII., and Lord of the Manor of Swanscombe, in the county of Kent. Assuming, however, his statement to be substantially correct, it barely proves that Sir Anthony had written a libel on the Scotish nation, but affords no means of identifying it with the satirical tract in question.

Since the publication of the Secret History of King James, a MS. volume, formerly in the collection of Sir James Balfour,* Lion King-at-Arms, and now belonging to the Library of the Faculty of Advocates, has been found, containing a copy of the Satire, and what is still more important, an Answer to it. The former is dated from Leith, on the 25th January 1617, and it is subscribed, "John E." The Answer, which, as may be anticipated, is sufficiently abusive, asserts that the author of the Satire "newer trauelles farther than a London taphous, receiues a lytle drunken intelligence from his comerad, on of the fagge end of the court that was spoken of at Leithe, and fallen out with his hostess for his reckoning, and nowe for this once, will nere mak his witt a foole to his malice, and resolues to forbear nothing but what is either not fals aneught, or not bitter aneught." This supposition is far from improbable: Indeed, had Sir Anthony Weldon really been the author, his dismissal from office, and loss of the King's favour for writing it, must have been a matter of public notoriety, and the author of the Answer could have had little scruple to empty his vials of wrath upon him by name, in place of which he attacks the libeller as an obscure scribbler, who had never left London, and who had picked up his information at second-hand.

Neither was the publication delayed till the year 1659, for there were at least two editions before that date, perhaps more. Both of these are in possession of the Editor; the first has this title, "Terrible Newes from Scotland; or, a True Declaration of the late Councell of the Kingdome of Scotland, and how far they have proceeded in the raysing of their forces; with an exact representation of their genealogies, lives, and manners, written by a gentleman imployed in the service for the publique, and dedicated to the Commissioners of Scotland. London: printed for T. W. 1647." To give the tract an appearance of reality, the following introductory observations are prefixed, which do not occur in any of the subsequent editions. "Having had the fortune (honour I will not say) to be imployed in weghty affaires of the publick, between this my native kingdome of England, and the neighbour kingdome of Scotland, and collecting from time to time, with the greatest industry I could, the severall most materiall passages observable, during the time of my sad

* Sir James was knighted by King Charles I. 7th May 1630, and created a baronet by him, 22d December 1633. He died in February 1657.

employment; at last, seeing no end of the case I undertooke, I composed myselfe to a retired life, and began to reflect upon the diary of my last five yeares action, which now seemes to me as one in a continued trance, and often brings to my mind that of the Psalmist, *Man walketh in a vaine shadow, and disquieteth himselfe in vaine.* And now, as the stopping of me in that careere was a signe of God's special favour unto me, so I now publish this relation, in testimony of my thankfulnesse and repentance."

In the second edition, the name of an author is given. It is termed "A Perfect Description of the People and Country of Scotland, by James Howel, Gent.* London, printed for J. S. 1649." Howell, who wrote that most amusing of all works, the Epistolæ Ho-Elianæ, was then alive, and it is a curious circumstance, that his name should have been found on the title-page; but such devices to ensure a sale were far from uncommon at that period; and it is notorious, in particular as regards dramatic works, that the names of popular writers were not unfrequently inserted, although guiltless of the works thus fathered upon them. It is not impossible, but assuredly improbable, that this libel, undoubtedly written in 1617, proceeded from the pen of Howell,† for there is no allusion in his letters to his ever having been in Scotland until the year 1639, when he was sent by the Earl of

* It was reprinted under the name of Howel in Wilkes' North-Briton.

† James Howell was born in 1594—entered Jesus College, Oxford, in 1610—took his degree of Bachelor of Arts in 1613—visited the principal places in Holland, Flanders, France, Spain, and Italy—in December 1621 he returned to London. In 1622 he was sent into Spain to recover a rich English ship seized by the Viceroy of Sardinia on pretence of having prohibited goods on board. In 1623 he was chosen Fellow of Jesus College, Oxford, in his absence. In 1624 he returned to England.

In 1627 Howell was elected M.P. for Richmond. In 1632 he went as Secretary to Robert Earl of Leicester, Ambassador Extraordinary from Charles I. to the Court of Denmark. Excepting an inconsiderable mission in 1635, he was out of employment for some time; but in 1639 he went to Ireland, and was well received by the Earl of Strafford, who had expressed great kindness previously to him, and who then employed him as an assistant-clerk upon some business to Edinburgh, and afterwards to London. In 1640 he was dispatched to France, and upon his return made Clerk of the Council; but in 1643 his papers were seized by a committee of the parliament, and he was committed to the Fleet. According to Wood, he became an author and translator by profession, and was enabled, by his pen, to earn a "comfortable subsistence."

He paid his court to Cromwell, whose assumption of the Protectorship, Howell regarded as a partial deliverance of the nation from the tyranny of Democracy; but he behaved so prudently, that at the Restoration he found favour with Charles II., and was by patent the first historiographer-royal in England. He died November 1666, and was interred in the Temple Church, where his monument, since taken down, was placed.

Strafford to Edinburgh, where he remained for a short time, and from whence one of his epistles is dated.

In 1650 appeared the Court and Character of King James, " written and taken by Sir A. W. being an eye and eare witness;" and it might be supposed, had the Description of Scotland been by him, it would have been added as a very appropriate appendix to this bitter and scurrilous production. In 1659, the Description was again printed in the same size, with two other satirical effusions, one directed against England,* and the other against the Low Countries.† But nothing is said as to the author, from which it might be inferred that the claim subsequently advanced on behalf of Weldon was then unknown, for it is extremely improbable that at that period, when there would be no cause for concealment, and when Sir Anthony had previously appeared before the world as a satirist of the Steuarts, his name would, from any feeling of delicacy, have been withheld; on the contrary, it might be supposed that the publisher, by naming the author, would have been desirous of giving it an appearance of authenticity, which, as the production of an anonymous writer, it would not otherwise possess.

The preceding facts will enable the reader to form his own opinion on the subject; and the Editor may only remark, although there may be no very decisive testimony to establish that Weldon was not the author, still that there is nothing like conclusive evidence that he was, and that the remarks made in the Answer, assigning the composition to one who had never left London, but who had derived his notions of Scotland from some companion who had been there, are not without their weight.

A few years after the publication of the last mentioned edition of this Satire, there was presented to the public " A modern Account of Scotland, being an exact Description of the Country, and a true Character of the People and their Manners, written from thence by an English Gentleman. Printed in the year 1670."‡ 4to. This libel, which is indebted for many of its observations to the preceding one, is, if possible, still more acrimonious, and the kingdom and its inhabitants are ridiculed and abused in a very first-rate style. Amongst other things, it is said, " If the air was

* " A Character of England, as it was lately presented in a letter to a Nobleman of France. With Reflections upon Gallus Castratus. The Third Edition. London, printed for John Crooke, and are to be sold at the Ship, in St Paul's Churchyard. 1659. 24mo."

† " A Brief Character of the Low Countries under the States. Being three weeks observation of the Vices and Vertues of the Inhabitants—*non seria semper*. London, printed for H. S., and are to be sold by Rich. Lowndes, at the White Lion, in St Paul's Churchyard, near the little north door. 1660. 24mo."

‡ Reprinted in the Edinburgh Magazine, and in the Harleian Miscellany.

not pure and well refined by its agitation, it would be so infected with the slush of their towns, and the steams of the nasty inhabitants, that it would be pestilential and destructive; indeed, it is too thin for their gross senses, that must be fed with suitable viands, their meat not affecting their distempered palates, without having a damnable hogoe; nor music their ears, without loud and harsh discord, and their nostrils, like a Jew's, chiefly delight in the perceptible effluviums of an old surreverence."*

The MS. from which this edition of the Satire has been taken varies in many respects, particularly in arrangement, from the printed copies. Although the text of the latter might, in some instances, be preferred, still it was thought best to adhere strictly to the original, and it has been accordingly given without any alteration or attempted amendment. In the Answer several passages are obscure, and one or two blanks occur, which the Editor has been unable to fill up. The words omitted do not seem of any importance, and their loss is consequently the less to be regretted. Mixed up with a good deal of angry, and in many cases pointless vituperation, are to be found many curious particulars relative to the real state of Scotland and its inhabitants, which probably cannot be found elsewhere; and as materials, illustrative of the state of the country at that time, are very meagre and unsatisfactory, any addition to them, however trivial, will be thankfully received by those who take an interest in such studies.

* This assertion relative to the noxious atmosphere of the towns, although greatly exaggerated, was not destitute altogether of foundation. In Edinburgh, particularly during the seventeenth century, the quantity of filth that was allowed to accumulate on the streets was such as to call for the interference of the Court of Justiciary. In May 1654, the Provost and Magistrates of Edinburgh were indicted for not cleaning the town of "middings," according to an ordinance to that effect. They were convicted and fined L.20 sterling for the offence, and L.10 sterling for not appearing.

The Magistrates, not paying any attention to this sentence, were again fined, both for the filthy state of the streets, and for contempt of court in not attending. They, however, 24th April 1657, petitioned for a remission of the fines, amounting to L.50 sterling, stating that the streets had been cleaned, and that in future they would regularly attend in court when cited to do so. The Lords of Justiciary thereupon prohibited the clerk from proceeding to levy the fines. The fact of these prosecutions is decisive proof that the evil complained of did exist to a very great extent. Indeed, most of the older inhabitants must remember, that even at the end of last century, the odours that, at night especially, saluted their nostrils were not Sabæan.

SATIRE AGAINST SCOTLAND.

First for the Countrey! I muſt confeſs it is too guid for thoſe that inhabite it, and too bad for vtheris to be at the charge of conquering it. The ayre might be wholeſome, but for the ſtinking people that inhabite it. The ground might be maid fruitfull, had they witt to manure it. Thair beaſtis be generallie ſmall (women excepted), of which ſort thair ar no greater in the world. Thair is great ſtore of foule,—as foule houſſes, foule lynning, foule diſhes and potis, foule trencheros and napkines, foul ſheitis and ſhirtis, with whiche ſort of foule we ar lyke to faire as the children of Iſraell did with thair foulein in the wylderneſſe. They haue great ſtore of fiſhe too, and guid for thefe that can eat it raw, but iff it cume once into thair handes, it is prefentlie thrie dayis old; for thair butter and cheiſe I will not medle with at this tyme, nor no man at any tyme that loues his lyff. They haue lykewayes greate ſtore of deere, but they ar ſo far frome the places whare I had ȝit bein, as I had rather believe it then goe to prove it. I confeſs all the deere that I mett with was deere ludging, deare horſs meat, deare tobacco and Ingliſhe beere. As for fruit, for their grandame Eue's ſak they never planted any, and for other tries (had Chriſt been betrayed in this countrey, as doubtleſs he ſould haue bein, had he cume as a ſtranger amongſt them), Judas had ſooner found the grace of repentance then ane trie to hang himſelf one. They haue many hills whairin they tell men hes muche treaſure, but they ſchewe non of it. Nature hathe onlie diſcovered wnto them ſume mynes of coales, to ſchaw to what end ſchoe created them.

I ſie lytle graſs but in thair pottage, and no flouris but ſuche as modeſtie forbids me to name. The thiſtle was not given thaim for nought, for it is the faireſt flouer in thair garden. The word hey is heathen Greek to them; neither man nor beaſt knowis what it meanes. Corne is reaſonable plentifull at this tyme, for, ſince they heard of the king's comming, it hathe bein als wnlawfull for the comoune people to eat wheat as it wes of old for any but the preiſtes to eat the ſchew bread: they prayed muche for his coming, and long faſted for his weill fair. All his followeris were wellcomme but the guard; theſe, they ſay, luik lyke Pharaoh's lean kyne, and threaten a dearth whairſoewer they cume. They wold perſuade the footmen, that oaten caikis wold make them weill winded; and the children of the chappell they have brought to eat of them for the manteinance of thair voices. They ſay our cookes are too fawcie, and for groomes and coachmen, they wiſhe thaim to giue thair horſſes no worſe then they wold be contented thaimſelffis. They comend the braue myndes of the penconeris and gentillmen of the chamber, who chuſe rather to goe to tauernes then to be allwayes eating of the kingis proviſions. They lykewayes comende in the ȝeomen and pages of the buttry and ſeller for thair [readineſs] and ſilence, in that they will heare twentie knockis before they will anſer one. They perſuade the trumpeters that faſting is guid for men of thair qualitie; for emptines, ſay they, cauſethe wind, and wind cauſethe ane trumpitt ſound ſweetlie. The bringing off herauldes, ſay they, were a needles charge, for they all knowe thair pedagrie weill aneughe, and the harbengers might haue bein ſpared, ſince they brought ſo many beds along with them, and of two ewiles, ſince the laſt worſt is to be choſen, they wiſh the beds might remaine with thaim, and the poore harbengers keip thair places, and doe thair offices wp to dignities. All their ſtudy is to diſgrace them that haue gotten the leaſt degree aboue them; and becaus they cannot wreit of biſhoppis, they proclaime they newer heard of any. The Scriptures (they ſay) ſpeakes of deacones and elderis, but not a word of deanes and biſhoppis. Thair diſcours is full of detraction, thair ſermones nothing but railing, and thair concluſione, hereſie or treaſon; for that religione they have, I confeſs it is aboue my reach, and Godwilling, I will newer ſtretche for it. They

chriſten without the crofs, marrie without a ring, receive the ſacrament without reverence, die without repentance, and burie without divine ſervice. They keip no holie dayes, nor acknowledge any ſaint but Saint Andrew, who (they ſay) got that honor by preſenting Chriſt with ane oaten cake efter his fourtie dayis faſt. They ſay lykewayes, he that tranſlated ane Engliſhe Bible wes the ſon of ſome malſter, becaus he ſpeakes of ane miracle done with barley loaves, wheras they ſueare they war oaten cakes, and no other bread of that quantitie could haue ſatiſfied ſua many thouſand people. They vſe no prayer at all, for they ſay it is neidles, God knowes thair wants without pratling, ſince what he dothe, he loues to doef rielie. Thair Sabbathe dayes exerciſing is preaching in the morneng and perſecuting thair bakbyteris in the efternoone,—they goe to churche in the foirnoone to hear the lawe,—to the craigis and montaines efternoone to louſs them ſelffis. They hold their noſes if ȝowe talke of barebyting, and ſtop thair eares if ȝowe ſpeake of pley; fornicatioune they hold paſtyme, whairin manes abilitie is approued, and fertilitie off a woeman diſcowered; adulterie they ſhake the head at, theft they raile at, murther they winke at, and blaſphemie they laught at. They ſay it is impoſſible to miſs the way to heawin, if they can leaue Roome behind them; to be oppoſit to the Pope is to be preſentlie with God. To conclud, I am vearilie perſuadit if God and his angellis at the laſt day ſould come doun in thair wheat garmentis, they wold runne away, and cry, the children of the chappell ar cume againe to torment ws, lat ws flie frome the abominatioun of theſe bonds,* and hyd ws in the mountaines. For the lordes temporall, and temporiſing gentillmen, if I wes apt to ſpeak all of all, I could not ſay muche of them, onlie I muſt lat ȝow knowe they ar no Scotiſhmen, for als ſoone as they fall from the breaſtis of the beaſtis thair motheris, thair cairfull ſir poſtis thaim away for France, quhair as they pas, the ſea ſuckis frome them what they had ſuckit frome thair rude dames. Thair they gather fleſhe, newe bluid, newe manners; thair they learne to ſtand, to ſpeik, to diſcours, to congee, to court woemen, and complement with men; then they cume to Englande to gette

* "Boies," printed edition, 1647.

thair cloathes, and they returne in thair awin countrey to warre them. They haue ſpared for no coſt to honor thair king, for no complementall courteſie to welcome thair countreymen. Thair followers ar thair fellowes, thair wyues thair ſleaues, thair horſes thair maiſteris, thair ſuordes thair judges, by reaſone whairof thair be but fewe lawieris, and thoſe nott ritche. Thair parliamentis holdis but thrie dayis, thair ſtatutes ar but thrie lynes, and thair ſuite is determined in thrie wordes. The wonderis of the kingdome ar theſe: the Lord Chancellor is beloued, the Maſter of the Rolles weill ſpoken of, and the haill counſall, who ar judges of all cauſes, frie frome ſuſpitione of corruptione. The country thrugh as they returne, hes hangingis they lykewayes defyre ſould remaine thair, as reliques to put them in mynd of his majeſtie, and they promiſe to diſpenſe with the wouen images; but for the grauen images in his newe beautified chappell, they threatten to pull them doun efter his departure, and maik of thaim a burnt offering to appeaſe the indignatioune they imagine is conceived againſt them in the breaſt of the Almightie for ſuffering ſuche idolatrie to enter thair kingdome. The organes, I think, will finde mercie, becaus they ſay thir is ſome affinitie betwixt them and thair bagpypes. The ſkipper that brought the ſingingmen with thair papiſtical weſtimentes compleanes that he hathe beine muche troubled with a ſtrange ſinging in his heade ewer ſince they cam abroad his ſhipp; for remedie whairof, the paſtor of the pariſhe hathe perſuadit him to ſell the prophained weſſell, and diſtribute the money amongſt the faithfull brethren.

For his majeſties entertainment, I moſt confeſs ingenuouſlie, that he was receiued into the pariſhe of Edinbrughe (for a citie I can not call it), with great ſhoutes of joy, but no ſhewes of charge for pageants; they hauld them idolatrous thinges, and not fitt to be vſed in ſo reformed a place. Frome the caſtell they gaue him ſome peice of ordinance, which ſuirlie he gaue the caſtell ſince he wes King of England, and at the entrance in the toune they preſented him with a goulden baſon, whiche wes caried befoir him on menes ſhoulderis to his palace, I think indeed frome whence it came. They proteſtit that iff Chriſt had cum frome the heauen, he could not haue beine more welcome: I believe it, for his maieſtie cam but to ſumone them to a parliament, and Chriſt wold haue ſumoned them to

judgment, which they loue not to heare of. He was convoyed by the 3onkeris of the toune (whiche was fum hundrethe halberds—dearlie fall they rewe it in refpect of thair charge) to thair croffe, and fo to the churche, whar the onie bell they had ftood on tiptoes to behold his fair face, whair I moft intreit 3ow to fpare him, for ane hour fince, I confefs, thair left I him. In the meantyme, to report the fpeaches of the people concerning his newe fampled entertaynment wes to mak this difcours too tyerfome wnto 3ow, as the fermon feemed to thofe that war conftrayned to indure it. After the preachment he was conducted by fome halberds to his palace, of which I foirbear to fpeik, becaus it is a place fanctified by his divine maieftie, onlie I wifhe it had beine walled better, for my frynds faik that waited on him. To bring the major bak to his lodgings, who all the whyll accompanyed his maieftie, wer too muche to amplifie my ftorie, becaus the gentillmen logies thrie ftories hight. I will onlie breifflie and faithfull fpeak of the people according to thair degries and qualities.

For the lords fpirituall, they may weill be callit fo, for indeed they are nather fyfhe nor fleflie, but what it fall pleis thair earthly god the king to mak them. Obedience they hold better then facrifice, and thairfoir they mak ane mocke of martyrdome, faying, that Chryft was to die for them, and not they for him. They will rather fubfcryve then furrender, and rather difpens with fmall thingis then trouble themfelffis with great difputationes; they will rather acknowledge the king to be their head then want wherewith to pamper their bodies; they haue tacken great paine and trawelle to conquefs their bifhopricks, and they will not lofs them for a triffle, for the poore deacones whofe defertis will not lift them.

It be [the] montaines affoords no monfteris, but weemen, of which the greateft ones, as counteffes and ladies, ar keiped lyke lyones in iron grates. The merchantis wyues ar lykewayes prifoneres, but not in fuch ftrong holdes. They have wooden cages, lyke as Engliflie borefrankis, through which fumtymes peeping to catch the ayre, we ar almoft choked with the fight of them. The greateft madnefs amongft the men is jealoufie,—in that they fear what no man [that] hath but two of his fenfes will feek to get. The ladies are of opinione, that Sufanna could not be chafte of body,

becaus ſchoe bathed ſo often. Pryd is a thing bred in thair bones, anc thair fleſhe naturally abhors cleanlienes; thair breathe comounly ſtinkis of pottage, thair lynningis of piſſe, and thair hands of pigis turds, thair haill bodies of ſueat, and thair ſplayfoote newer offendis in ſockis. To be chayned in mariage with ane of thaim war to be tyed to a deid carkaſe, and caſt into a ſtinking ditch. A fucus or a dentifrice ar thingis they dream not of; the oyntmentis moſt frequented amongſt them ar burntſtone and butter for thair ſcabbis, and oyle of bayes and ſtaueſacre* for thair lyce, which, ſince of curioſitie, is but newlie crept into the kingdome, and, I think, will not long continewe. I proteſt I had rather be the meaneſt ſervant of 24 to my pupills chambermaid, then to be maſter minion to the faireſt counteſſe I haue diſcowered. To drawe 3ow doune by degries frome the citizenis wyff to the countrey gentillwoman, and ſo conuoy 3ow to the comoune deames, wer to bring 3ow from Newgate to Bridewell. The deſpiſed deames in Sea-coal Lane, that comerce with raggis and marrow bones, are thingis of immortall race; ewerie whore in Hounſditch is ane Helena, and the greaſy bawdes in Turnbull Street, Greekiſhe dames in the compariſon of thoſe.

And thairfoir to conclude, the men of old did not more wounder that the great Meſſiah ſould be borne in ſo poore a toune as Bethleem in Judea, as I doe, that ſo braue a Prince as King James ſould be borne in ſo ſtinking a toune as Edinburghe, in lowſy Scotland.

JOHNE E.

Frome Leithe, neir Edinburghe,
the 20 of Junii, 1617.

* The *Delphinum Stavisagria* of Linnæus. "The seed, mingled with oile or grease, driueth away lice from the head, beard, and all other parts of the body, and cureth all scurvy, itch, and manginesse." Gerarde's Herball, enlarged by Johnston. London, 1636. Folio.

ANSWER TO THE SATIRE.

ANSWER TO THE SATIRE.

TO MY LOUEING FRYND M. V. S. AT EDINBURGHE.

Sir,

I haue receivit that frome ȝou, whiche I am aſchamed to ſie, a lybell patcht vp of a lytle witt, muche ſcurrilitie, more falſhood, all malice: and I find it a juſt queſtioune, whiche is the more wonder, that any of our natioune could be ſo malicioufe, or that malice itſelfe could be ſo impudent. Havine itſelfe hathe bein oft barkit at, and if any of ȝours fould rake vp theſe reproaches which forreyne tongues and preſſes haue caſt wpone our Ingland, ȝou might eaſilie owerpay him in his awine coyne. This advantage I muſt ȝeild him, that woundes ar fooner maid then cured, and that on madman may mak warke for ane hundrethe chirurgionis. Ȝou aſk me if I can geſs at the man ſo weill, that I can deſcryve him to ȝou? he hathe a Pope in his bellie, a Jeſuite in his eare, a traytor in his ſkin, a firebrand in his hand (and I neid not tell ȝou), a lyar in his throat: he is a great onthrift of his witt and tongue, a ſlie plagiarie of play bookis, a guid vice to faction; and on that iff he could be beleived, wold mak ane guid intelligence for the deuill.

Ȝour ayre of Scotland wold haue bein the worſs, if ewer ſuche a monſter as this hath breathit in it: but many paſſages aſſure me, that this I. E. ues newer nearer to the Tweed or the Baſs, then to honeſtie itſelff. They ſaid of Aretine, that he thairfoir onlie rayled upone God, becaus he knewe him not, but this lybellar grounds his virulencie wpone ignorance. Had

he ewer feine the ritche and well laded fieldis in the way of Edinburgh, could he haue faulted the land for manuring or the countrie for want of wheat? Could he that had fett his feit wnder any of 3our tables be fo fhamles as to compleane of fcarcitie? Could he haue thought for the danger of the graven images in the royall chappell, if ewer his eyis had feine thefe wallis? Had he ewer bein in the imprenable caftell of Edinburgh, could he fay that thais peices of ordnance had bein of the Inglifh mak, whilk he muft neids fies, which nather England nor Europe can challenge or patterne? Iff once he had fpent Sunday in Scotland, could he haue found the efternoones wafted in the mountaines? I could eafilie 3eild, that if the family of Chrift himfelff affoorded but tuelff men and on deuill, it is poffible that wnder the trayne of a Prince might lourk fum venimous detractor, but my *giues me, that if this Scogan had feine Scotifhe earthe, his perrill of witt could newer haue fuffered his hands fo palably to thek his eyis. The treuthe is, the fellowe newer trauelles further then a London taphous, receiues a lytle drunken intelligence frome his comerad, on of the fagge end of the court that was fpoken off at Leithe, and fallen out with his hoftefs for his reckoning, and nowe for this once, will nere mak his witt a foole to his malice, and refolues to forbear nothing, but what is aither not fals aneught, or not bitter aneught. The refpect of 3our gravitie hath maid my anfuere too ferious, but my pen will not alwayes hold in awe.

3e muft fuppofe this man a Northerne trawellar, whiche did nothing but ly at home. It is a pitie that I. E. mett with a flut to his hoftefs, for nowe all Scotlande fall rue it: on fkipperis wyff at Leethe hathe turned al 3our woemen into beaftis, and all 3our lining into difhecloutis, as if they wold argue that Inglande 3eildis nothing but ferpentis, becaus of this ane viper. He fayis 3ou haue great ftore of foule in Scotland. Tell him thair wes fumquhat the more for him, a foule mouth, whiche, lyke to a dyeris fat, turnes all thingis to his awin collor; and that the fouleft ragge in Scotland was this paper of his. This fellowe, in emulatioun of Cariates on payre of fhoes, cam into the northe with on fhirkt on his

* Blank in MS.

bak, and becauſe all the watter of Tweed could not waſh that cleane, he rayled on all the countrie. Off all the ſtore of foule that 3our countrie 3eildis, this gentillman wold eat of nothing but powlets; and of all 3our fiſhe, nothing wold content him but carpes. Whairon he ſo ſurfeyed, that 3e ſie what he hathe done in the ſheetis; and nowe he complaines on fiſche and foule lyning. Whatſoewir he ſayis of 3our cookry, I am ſure if he had any fellowes in this quarrell, they cannot ſo juſtlie complayne of 3our fiſhe, as 3ou may of 3our gueſtis. As if Scotland war all forreſt, he finds nothing but dear into it—dear ludging, dear horſs meat, dear drink and tobacco; but if * or treuth had bein dear wnto him, if lyes and foule wordes had not [bein] too cheape with him, the complaint had newer bein; on thing I beleive, that drink and tobacco at leaſt [are] dear aneught with him, whitherſoewer he goes,—ſo dear that hauing forfitit his truſt, he will not cair to ley his ſkin for them.

The gentillman compleanes nixt of the want of fruit and tries; it is pitie that he went further vp into the countrey; thair he might haue [ſeen] ane kynd of tree callit Borrowmarre,† that beares ſuche fruit as himſelffe in great varietie: and to ſay nothing of the four ſchades on the ſouthe waſt ſyd of 3our Edinburgh, iff his leaſour wold haue ſerved him to haue progreſſed to ſome of his maieſties parkis, and namlie to that of Falkland, he muſt haue comforted himſelff with the ſight of trees anew to hang vp all the falſe harted Papiſtis in our Iland on, wpone a ſeuerall boughe, and himſelff for the more glorie and merit, might haue bein [hung] on the top. Our countreyman is newe galloped ower our mountaines, wher he ſure miſtaks himſelff: he thought he had bein in the woyage to Elderado, and hates thoſe hills becaus they ar [not?] of gold: lyk the man with the long eares, nothing will pleiſs him but golden: and nowe when he hathe weill breathed himſelff in that froſtie ayre (lyk that thing whoſe eares he borrowed), he thinkis of ſalladis of graſs, hay, thiſtles, lyk apis, lyk lettuce, and doe 3ow hear how he brayes for their want? Off all men, a lyer ſould not be forgetfull; whence is that 3our ſtore of butter and cheeſe,

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† The Burrowmoor, where convicts were in use to be executed.

whiche he confeſſes and detaſtis: if ȝe haue nather hay nor graſs, what doe ȝour beaſtis feed on, whoſe ſtature he tellis ws is ſmall, not thair number? from thence, lyk a true apulman, he is ſeiking in ȝour gardene for ane roſe, and moſt hold his awin forme ſtill, becaus he will not find on. O! miſerable Northe, that hathe nather graſs nor hay, nor wheat nor floweris. Now I am aſhamed of my countreymen, ſince he will neids lye, that he cannot lye aneught. Why did he not ſay that thair is nather land nor ſea; or in that land, nather townes nor willages; or in theſe townes no men, or that thais men haue no ſenſes? the ſame face would haue vpheld all this. Lat me newer haue comfort of thais eyis, if ewer I ſaue feilds moir ritchlie aparrelled with wheatis and barleyis, and all the glorie of harveſt, or gardenis adorned with better floweris. That I may not ſpeak of the ordinarie dreſſes of Flora, not the moſt futherne partis of this Iland can ſhowe moir thriuing and full growne tulipis, anemones, martagones, and the reſt of theſe foraine rarities, then he might ſie in a weill planted triangle nixt to Holyroodhous. But this traueller newer walkit further then ſum blue bakſyd at Leethe, and by that meaſures all Scotland.

At what manger (trowe ȝe) was the beaſt fed, that he mett with nothing but oates? Sure I am, ſome of that company ſpent many weikis in Edinburgh, and newer did hear thair was ſo muche as ane oaten cake, altho why ſould a man ſtorme [at?] that in his bread whiche he is glaid ewerie day to eat in his broath? Many ane honeſter man then this informer, in this kingdome, would lick his lippis to enter comoune with ane Scotiſch horſs: and his maieſtie might well ſpare him thouſands of ſuche raſcally carkaſes as this lybelleres to the manuring of our Ingliſhe earthe, on condition it wold ȝeeld ws als cheape wheate, as large oates, as the deſpiſed feeldes of Scotland. ȝour worſt huſkes wer too guid for a mouth ſo prodigall of wntreuthis.

ȝou prayed I dar ſày for his maieſties comming, but did ȝou faſt for his weill faire? Juſt (ȝou ſay) in the Catholick faſhion, eating faſt and drinking faſt, till ȝour bellies war full, as in a Popiſhe ember, or fainctes ember, wind and fatuoitie afflicted ȝou. This companion hathe beine of auld acquainted with this penance. Iff God will pardone ȝou this exceſs,

ſchoe ſall not goe to Roome for a pardone of ȝour defect: but for ſtarke ſchame, countreyman, doe not ſay that Scotland grudges ws wictualls, iff ewerie on off ws had beine of the guard, and ewerie guarde had had als many bellies as Briareus had hands, thair had bein trincher work, and right for ws all: if thair had bein the leaſt poſſibilitie of ſcarcitie, why did not the market ryſe? Why wes thair ſuffered to come into Edinburgh ane hundrethe of thair awin? except meat ſould haue rayned doune frome heawin, it could not be imagined moir cheape, moir plentifull: ane of thoſe tuelff pyes that war ſould for ane penny, might haue ſtopt ȝour mouth for his quarrell. I dar ſuear for Edinburgh, it was not ſo muche troubled with all our gard liueing, as with on of them dead. I knewe whair we ſould find our man ſo long: frome the tauerne he reeles doun to the cellar doore, and thair is rapping for moir liquor, and is mad with the officiars that they will needis force him to be once home ſober, and that they will not lat him drink himſelff dead. What els wold ȝe haue had? ȝou knowe thair war ſum ſubjectis that keept open buttries and cellars from morning till night; and I am ſuire his maieſties royall bountie exceeded the rate of his ordinary allowances. The man is angrie that all the tapis war not puld out that ewery guid fellow might ſwim in ſack and clarett, and he is not in charitie with the ſea, that it did not run Engliſhe beere to his hoſtis doore. It is the glorie of ȝour nation (malgre this curre) that ȝou know ȝour pedagree, and that the forced intermiſion of forayne blood hathe not dimmed the line of ȝour ſcuteſſion: and muche pitie it is, that the king did not aſk live of this mate to bring with him ſuche officiars of ſtate as beſeemed his maieſtie, and to carie his owin beding along with him in the remoue; but iff we had many ſuche companyonis as this in our jorney, the harbingeris might indeed haue beene ſpared a great pairt of thair labour; the hedges, ſtyes, and kennellis, had bein too guid lodging for ſuche gueſtis. Poor men! ȝe had no featheris in Scotland, but theſe which ȝe had frome our Engliſhe geeſe: ȝour foule knewe not how to flye with featheris till they learned it frome the Southe, or els ȝour ſelffis wer ſo mutch moir dottrells then they, that ȝou did ſtill caſt away thair featheris, and creep into ſtray; we onlie taught ȝow the witt to ly ſoft. The treuthe is, I. E. caires not how

he lyes, but for ws, I am fure if our truſt had bein in Engliſh bedis, ane hundrethe of ws had lyen wpon mattreſſes. He ſayis ȝou wiſh that the bedis and hangingis might be ſtill left with ȝou; as for the bed, I think ȝou cair not greatlie, but I can not blame ȝou (as the caſe ſtands) if ȝou wiſh his majeſtie had left on hanging thair behind him.

But nowe, countreyman, aither ſchame the deuill or ȝour ſelff. What images did ȝou ſie in the kingis newe beautiful chappell, whidder wouen or grauen? What war theſe ſtatues wiche the vnruly citiȝens threattned to pull doun ſoone efter his majeſties departure? What thing in heaven or earth did they reſemble? Did ȝou onlie ſie viſiones thair, or wer ȝou ſo full of ȝour houſhold godis, that ȝou thocht ewerie pyramide a puppett? I ſall not neid to appeall to theſe thouſands of eyis wiche ſawe that fayre pyle, whither thair was any thing to be ſein thair, but was painted with curious perſpectiue: rather to gratifie this meritorious gull, we ſhall obteane leaue that he may worſchip ewerie grauen image that he ſawe thair: and can any man be ſo ſhamles as to writt thus, without his eyis or againſt them? The organes, he ſayis, find mercie but at his hand, moir than youris. It is a wonder that he whoſe art could turne plain plaſter into curious images, did not turne the organ pipes into molten, and thair had bein moir reaſon for it, the Godis that he worſchippis ewerie day haue mouthis and ſpeik not, but theſe ſpeik and haue no mouthis. The ſkipper that caried the ſinging men wes troubled (he ſayis) ewer ſince with a ſtrange ſinging in his head. Why did he not tell ws how the weſſell danced, and the ſiſches lapt, and the watter itſelff did not ſtand ſtill: but the watterman loued no muſick, and might weill fear his head might proue odious: how ſped he then? This Benchwhiſtler miſreports it: the nightbour phiſicians applyed artificiall otacouſtickis to his head, and aſſured him that efter thoſe preparatiounes, the roaring of humane lyone wold dryue away all theſe noyces; and I knowe not howe it is cume to pas, but ewer ſince this letter cam abroad, he never hard moir of theſe anthemes.

What thinke ȝou, is not Edinburgh a prettie pariſche, and Arthures Seat a guid pretty mole hill? Heauen the ſelffe (the aſtronomeris ſay) conſiſtis but of tuelue houſſes. Will this foole ſcorne it for ane hamlet?

That wyfe Roman could fay that the world wes but on hous: 3it this on hous may pas for ane parifche, and the parifche of Edinburghe, with fuche fimple ones as wee, may pas for a citie; 3ea, thofe that [haue] feene als many cities as he hathe feene parifches, and haue meafured als many acres as he hath done els of earthe, magnifie Edinburgh for a fayre populous and goodlie citie. Lat then this fcornfull wndervaluer of Northerne excellencyes name that citie within Chriftendome, or out of it, that for the beautie off one ftreet furpaffes 3our Hight Street in Edinburgh, and for the reft, thair is not neane of thefe many lands, which fall doun from that ftatlie rydge, that would not for frequence of houfes, and number of inhabitantis, mak vp a fufficient parifche. What if 3e haue but fix churches? Some fayre citie in Ingland hathe but tuo; and if one of thefe haue als many auditors as fix elfwhair, what is this but to compleane that a manes money is payed him in wholl fchillingis, and not fingle tuopences? To fchut vp this poynt, I wifche the fpightfull relator no other revenge but this, that he wer adjudged to be the onlie fextein of the parifche off Edinburgh frome feavin 3eers, that he might live and die by the graues of thaim whom he will not confefs haue bein.

What pitie it is, that this witt was fett fmoaking among the dryed whyttings in ane obfcure chymney corner at Leethe: he could haue taught 3ow ane hundrethe fyne knakis to entertayne ane king, fchowis and pageantrie, and puppett playis: if he would haue bein but a lytle idolatrous, he had mad 3ou famous for ewer. As it was, he confeffed a great fchowe off wynen of charge; 3our weaponfchawe and 3our fireworkis coft 3ou nothing, whilles (I warrant) this fnake will newer be worthe the wearie coales 3ou fpent in bonfires.

3e gaue the king fome peices of ordnance frome the caftell, but the famen which he had befoir giwin to 3ou. Who that fees it, will not fay that 3our great roaring Mons of the caftele is the pig of ane Inglifhe fow's parturient montes, and 3our gold cam the famen way with 3our brafs. The King and Edinburgh agreit to play booty onlie to mak a fool of him that was on befoir. 3ou can haue no gould but ouris; all thefe goodlie bottoumes whiche we fawe lodgit in 3our fayre harbor at Leethe, and Sainct Andrewes, ferve but to bringe home ballaft; and all 3our thou-

fande of forreyne merchantis doe but pick ſtrawes and cache flies, and trade or Erlſkines. It is marwell if this man cannot tell 3ou at what chope in Cheapfyd all 3our 3onkeris in Edinburgh tuik vp thair fair ſutes on truſt. In a word, 3ou not ſo muche as watter but frome our ſea and our cloudis. 3our only bell that ſtood on tiptoes to behold the kingis face, ran away on the ſame tiptoes frome ane Engliſhe ſteeple: What beggery is heir! but one bell in the pariſche of Edinburgh! thair could no harme be done, then, countryman, if 3ou took but on ſtrong by the coller in ewery other bell rope beſydes the one: ſure I am, if the reſt of theſe bellis war hanged at 3our heeles, they would marr 3our Morris dance. The belles endit, the ſermone begane, a tedious diſcours of moir than ane quarter of ane hour long, efter all the barking of this doge, a graue ſpeache of ane reverend prelatt.

Frome Godis hous the king was conducted to his awin, with ſuche maieſtie and heartie magnificence, as became a prince not moir great in power, then in the loue off his ſubiectis. Do you ſie how this angrie curre followis him, and gnawes wpone the wearie ſtones of his palaces? a palace that neids not ſtand at the mercie of any jeſteris pen—ſweetlie ſeated, weill built, fairlie furniſhed, if not huge, 3it neat and noble, fit for a king, fitt for a court. Thair ar but tuo faultis that this quareller can find in it, aither that it is not all buttery, or that it is not all chamber for ewery Hangbyes-mans-dogs-boy. And theſe wpone his good correctioune, may be eaſilie amendit in the nixt editioun.

All this whill how chances it we heare nothing off that ill worded oratioun, and that vyle volum of werſes whairwith his majeſtie wes intertayned in his gates? We thank his tobacco pyp for his eſcape. The pariſche of Edinburgh was too thick and too long to pas through without a whiffe. The ciuill gentallman wold bring Mr Major bak to his houſs, but that he is affrayed to climbe; and if 3our proveſt had loged in a celler, courteſie wold haue eaſilie drawin doune this worthie attendent to him, but nowe, ſince he will goe but ſo near to heavin as the third ſtory, he muſt tack his leive.

But er he go, he will neids falute the company: 3our lords ſpirituall, and the reſt off 3our clergie, ar beholden to him for his firſt congee. Theſe,

he ſayis, are naither ſiſhe nor fleſhe, but what it pleaſethe thair earthlie god the king to mak thaim. Sie nowe whatſoewer wes the pretence, relligion wes it that ſtirred vp all this gall; this Jeſuites whelpe had newer barked at 3ou, but for the ſecreit grudge of religion. Iff 3our biſchopis had bein the creatures of his earthlie god the Pope, all had bein weill: would they but adore his Capitolin Jupiter, Paull the firſt, inſtead of James the ſixt, 3our countrey ſould be paradiſe, and 3our church heaven. But can 3our prelates be ſo prophane as to mock a worke of martyrdome? I had lyk to haue wondered at this challenge, but now I wnderſtand it; he meanes St Campian, St Garnett, St Faux, St Rawillace, and the reſt of that holy calender,—be better advyſed in miſalis, *non eſt tutum ludere cum ſanctis.* This man is not off 3our dyett; he holdis ſacrifice better thain obedience, that is, he had rather ſacrifice royall blood then obey royall authoritie, and he hates 3ou for no other caus, but that the head of 3our churche is not als far diſtant from the ſhoulderis as Tweed is from Tiber. As for 3our poore deaconis, for (as happynes he newer hard of a preſbitere) we think if they wer ſuche as he reportis them, he could not chooſe but lyk them weill; he ſayis thair ſtudy is diſgrace, thair diſcours detractioun, thair ſermones rayling, thair concluſion hereſie or treaſon. But, O malice! whither doeſt thou owercum witt: who ewer hard a deacon preach in Scotland? Who that wnderſtands ought, knowes not that a Roman biſhopp and ane Scotiſhe deacon goe bothe into the pulpitt at once? But I muſt neids ſay, if any of 3our domines haue preacht on this maner, they ar much to blaim to incroach thus wpone the priviledges of the Jeſuites: theſe ar ther proper right by all ingenious confeſſiones, and they might als weill tak frome thaim thair immunity of aquiuiocatting with magiſtrates, or thair buchering of princes. Our religion profeſſed amongſt 3ow, he profeſſes too hie for his reache; pardon him! The man was drynurſt in ane implicite faithe. Iff 3e wold haue taught him that ſtewes ar tollerable, fornicatioun veniall, oathes diſpenſable, ſins rateable, God eatible, heavin bought and ſould, now 3e had ſuten his pitch, and for theſe he could be content to ſtreche his conſcience, if not his neck.

He ſayis 3ou chriſten without the croſs, and marrie without the ring

on the pulpitt; but had he not caired moir for croffes then for Chriſtendome, he wold newer haue maid this a difference of religion. But is it the Scotiſche faſhion to die without repentance? I doubt not but his hoſt at Leithe repentis him that ewer he gaue harbour to ſuche ane vnthankfull beaſt. And many of 3ou repent 3ou that 3e had no better knowledge of ſo weill deſeruing a fryud. But all this whill wee ar ſtark whether it is pennance that he harpes on: 3ee die without ſhrift, without extream unction, fie on 3ou, heretics! and why did 3e not pick this quarrell on this ſyde the Tweed? It is our comoun fault that we [do] not rak the ſicke, nor embalme the dying, we fall newer live to repent ws of dyeing without this repentance. How this fellow will dye (God knowes). I am ſure he liues without grace, and lyes without ſchame.

He ſayis 3e keip no holydayis. Tell him 3e keip on, the keipingis whairof angeris him moir then the not keiping of all the reſt, and that is the fyft of November, to the perpetuall ſchame of the treacherous brood of his Romyſh brother head: if 3e haue too fewe fainctis, tell him he hath too many, and ſuche as he hath rackt hell for ſome of them. But, O noble Roman deytyes! St Croſs, St Sunday, St Sepulchre, St Georges hors, St Antoines Jug, pray for 3our ſupplicant, and mak him an houſs jeſter: thus wee Ingliſhe muſt pray for him. As for 3ou in Scotland, he ſayis, 3e vſe no prayer at all, meaning to St Hubert for 3our dogis, to St Wendeline for 3our geeſe, to St Nicolas for 3our ſhipis, to St Roche for ich, to St Gertrude for 3our rats, to St Parnell for 3our feuers, nor the reſt of proud deuotion off 3ealous Catholickis. 3e pray to God indeed daylie, no man can deny that, but 3e ar ſo prophane, that 3e will not haue gods enow; the Sunday morningis 3e ſpend in 3our preachingis, ſo dothe he newer. He knowes better ſport then this, and is angry that all 3our oaten cakes are not wafers. Iff in the efternoones 3e perſecute 3our backbiters, he had reaſon to be afrayd of himſelff. Scotland had non ſo ill vermin as he. What needit he to ſend 3ow to the craigis and mountaines for this hunting of that ſax footed game? Belyk ther wer non at Belford, nor in all the tract of Northumberland: they had all taiken the watter, and as they ar ſolitarie and proud, ſcorning the humble valleyes, aſpire to the hilltopis. Tell him that we haue Romiſhe caterpillaris inumerable; and if 3e had

lice in all 3our quarters, whither pleague is the worſt? Wpone my lyff this baſe fellow lay with beggars, and that maks him to talk thus of lice and fornicatione.

Fornicatioune, he ſayis, is a paſtime with 3ow, and ſo is the ſchole: if pennance [is] a pleaſing feat nixt to the pillory, I wiſh him this mirry honor of all otheris. He lykis not that 3e ſould ſhak 3our heads at adultery, and vſe thift ſo hardlie as to rayle on it; theſe ar his old fryndis, and he wold fayne haue them not paſtime, but trade: and if 3e could wink at (3ea comend) murther, and laugh at blaſphemie, this wer poore Roman. His holy fathers haue giuen 3ou example, and 3e ſould be thair whitſons in bothe. But when this black mouthe hathe ſpent itſelff into idle ſound, all not preyjudicat beholders fall confes they newer ſawe a moir devout, moir ordourlie, better ſett and taught, better governed people in any pairt of the world, then 3ours of Scotland, and thair is moir true practize of pietie in ane privat hous or familie in Edinburgh, then in ane hundrethe of hypocriticall cloyſteris. Did I not ewer tell 3ow this quarrell was als far fetcht as the ſeawin hills? 3e hold it impoſſible, he ſayis, to miſs off heavin, if 3e leive Roome behind 3ow; and to be oppoſit to the Pope is to be preſentlie with God. Oh dear Roome! that thou ſhouldeſt be forſaken, and deareſt lord God the Pope, that thou ſhouldeſt be oppoſit to this deyitie (now I remember), which the hereticks laugh to hear blaſphemed, who, whille he keipis the keyis wnder his girdle, will mak 3ow pay dear for 3our ſport. 3e moſt be wyſer, and knowe that as popes find thair heauen at Rome, ſo here tricks find no Roome in heavin; and for this once, learne of me how to be ſuire not to fayle of heauin. Mak ſuir work with the pardoner, and be buried in a Franciſcanis cowle, ſo ſhall the angells flie to 3ou als faſt as 3e wold flie frome thaim, if they could cum doune in wheat.

As for 3our lords temporall, and temporizing gentillmen, they ar ſo muche in his grace, that he holds [thaim] too guid to be 3ours.

Scotland beares them, the ſea purges them, France breeds them, England cloathes them. He ſould haue gon on, thair work and ſervice promotes thaim, God and the kinge favores thaim, the deuill

envyes them, the lybeller belyes them, and thair is ane end of that buiffines.

How glaid I am to meet with an honeſt and true word in ſo long a relation! he confeſſes 3our nobles ſpared for no coſt to honour thair king, for no complementall (ſpit out envy, no, nor reall) to weilcome our countreymen; and ar not theſe complementis and theſe courteſies well anſuerred by this dogboll? Doe not our countreymen ow his eyes the ſcraching out, for ſuche a returne of a nobleman and harty entertaynment?

For the paucitie of 3our laweris 3e ar beholden to 3our peace, and for the breuitie of 3our parliamentis to 3our wiſdome, for the breuitie of 3our ſtatutes to the treuthe, and for the breuitie of 3our ſutes to 3our juſtice, and laſtlie, to 3our lybeller for his loue. Bot of all otheris, bid 3our wyues confes themſelves eternallie obleigit to his favour; he is in charitie with 3ou, but he is in loue with them; how he raues of thair beautie of niceneſſe! What haue 3our woemen done to this fellow? If 3e hear of any of our countreymen that wes excoriated by his hoſteſſe, or any that wes infranchiſed in the company of honeſt houſſwyues, ſay this was the man that thus rudlie wreakis his anger wpone the wholl ſex of 3our natione. What is thair but a lytle ſtream betuixt ws? And is Tweed ſo fattal a watter, that nather beauty nor cleanlienes paſs ower it? The ſam ſun, the ſam earthe is comoun to ws bothe. What ſould mak this difference now I haue founded it? This wnclean beaſt found 3our wemen too honeſt for his purpoſe, and thairfoir woued to plague them thus with his pen. But the beſt is, he raylis on thaim that haue no les grace than he hath impudence. I knowe thair ar wyues moir curious then they, I knowe non that ar moir wertuous. What is that to him? If no man would regard him moir that he regardethe wertue, I might haue ſpared my paper. The Helenas of Hounſditch ar for his dyet. Thair lat him ly till he haue ſpent himſelff to ragges and marrowe bones. We could newer leive him to fitter company.

And now to conclud, as it was the glorie of Bethelem in Judea, that ſchoe brought foorth the King of all the world, ſo is it the joy and pryd of

Edinburgh, that ſo gracious and ſo great a prince as King James was borne in her; and as it was the happienes of that land that Iſraell continewed vnited in on ſcepter, and the ruine of bothe followed thair deuiſione, ſo it is our ſtrenthe and faiſſitie, that England and Scotland (tuo famous and flouriſhing kingdomes) ar vnited in the bleſſed hand of our dear ſoueraine, and curſed be he of God that goes about to diſwyue them. And laſtly, as it wes a blamiſhe to the trybe of Epheram and all Judea, as it ȝeeldit ſuche a fals harted traytor as Judas, ſo it is the juſt diſhonour of this nation of ouris, that it hath bred ſo ingraitfull, malicious, and ſchamles a monſter as this lybeller

And ſo fair weill.

THE COMPLAINT OF THE MUSES UPON SIR WILLIAM ALEXANDER.

The complaynte of the Muses to Alexander Iason
Scot for the ingratitude towardes them by Iustyne
with the hard hamered woordes fytter to be vsed vpon the
misvsyng

O Lorde yo^r frende Lorde, Mercie mercie, Iuuare
Thyne sacred nine that nurst thow maine a Iuare
Full ofte alaue with sum sorte and with care
Nere batt'd thow in Castabias fountayne cleare
Then on our pingod laieft wise did thow heare
And sette thow on o^r statelie forbid hille
Where thow o^r Iocundlie Iay musicke did Iseare
The voiced resounding with thyne tipo^r stille
Although thy neighbor Iluue consum'd to Ielly
That auld with did y^e Iauroll crowne obtayne
With bowning from the hauen thyne vayyd yuille
Nowway thyne hand harpe twelling trimbling boyne
Our Iambuny Lande [illegible] to reioyce
Our songod ave filld with flonny [illegible] fwo.

The following jeu d'esprit is, as a literary curiosity, entitled to a place in this Collection. It was probably written to the dictation of King James, as the two last lines are corrected in his majesty's hand. They originally ran,

> Such hammering harde, hard metles do require,
> Our songes are fill'd with flowing furious fire;

but were altered into

> Such hammering harde youre metles harde require,
> Our songes are filled with flowing furious fire.

Whether actually composed by James, or submitted to his revision, these verses have considerable merit; they are intended to satirize the pedantic, or, as some have termed it, "bombastic vein" of Sir William Alexander, better known as Earl of Stirling, a poet of considerable eminence, but whose works are now little known excepting to the poetical antiquary. Pinkerton suggests that a selection from them merited republication, and observes, that his "Parænesis to the Prince" [Henry] is "a noble poem, being his master-piece, and a work that does the patron and poet great credit."* Ellis remarks, he "deserves considerable praise as a masculine and vigorous writer, abounding with moral and religious instruction;"† and Dr Irvine, in his valuable Lives of the Scotish Poets, mentions him as the author of a "variety of poetical productions, which have always been allowed to possess no inconsiderable share of merit."‡

Lord Stirling was a great projector, and obtained various grants from his sovereign; amongst others was the privilege of coining, says Scotstarvet, "base money far under the weight of copper, which brought great prejudice to the kingdom:

* Ancient Scotish Poems, never before in print, but now published from the MS. Collections of Sir Richard Maitland of Lethington, knight. Vol. i. p. cxxii.

† Specimens of the Early English Poets. 4th Edition. Vol. i. p. 35.

‡ Vol. i. p. 98.

At which time he built his great lodging in Stirling, and put on the gate thereof, *Per mare, per terras,* which a merry man changed *Per metre, per turners;* meaning that he had attained to his estate by poesy, and that gift of base money."*

In 1613, his Lordship, then Sir William Alexander, together with Thomas Foullis and Paul Pinto, got a grant of the silver mines at Hilderston, in the county of Linlithgow. It is probably in reference to this speculation that his majesty ingeniously makes the "tuneful Nine" complain of the poet's "hurting them with his hard hammered wordes," as more fitted for his minerals than his muse.

Sir William was created, by Charles I., Viscount of Stirling, and Lord Alexander of Tullibody, in Scotland, by patent (dated at Windsor, 4th September 1630), to him and his heirs-male bearing the name and arms of Alexander. He was, 14th June 1633, raised to the dignity of Earl of Stirling and Viscount Canada, with a similar remainder. It has recently been asserted, that his Lordship subsequently resigned his honours, and obtained a new grant, with a particular and very unusual destination. Upon this supposition, a claim to the peerage, still in dependence, has been within these few years advanced.

The Earl died in February 1640. The body was carried to Stirling, and "deposited in a leaden coffin, in the family aisle, in the church of Stirling, above ground, and remained entire till within these thirty years."†

* Scot's Staggering State of Scots Statesmen. Edinburgh, 1754. 12mo. p. 73.

† Letter written 1768. Analecta Scotica. Edinburgh, 1834. 8vo. Vol. i. p. 169.

THE COMPLAINT OF THE MUSES UPON SIR WILLIAM ALEXANDER.

THE COMPLAINTE OF THE MUSES TO ALEXANDER VPON HIMSELFE, FOR HIS INGRATITUDE TOWARDES THEM BY HURTING THEM WITH HIS HARD HAMMERED WORDES, FITTER TO BE VSED VPON HIS MINERALLES.

O holde your hande, holde, Mercie, mercie, fpare
Thofe facred Nine that nurft yow many a yeare:
Full ofte, alace, with comforte and with care,
Wee bath'd yow in Caftalia's founteyns cleare:
Then on your winges aloft wee did you beare,
And fet yow on our ftatelie forked hille,
Where yow your heauenlie harmonies did heare,
The rockes refounding with their echos ftille,
Although your neighbours haue conſpir'd to kille
That arte that did the laurell croune obteyne:
Who, borowing from the Rauen theyr ragged quille,
Bewray their hard, harſh, trotting, tumbling veyne.
Such hammering hard, youre metles harde require,
Our fonges are fill'd with fmooth oerflowing fire.

MEMOIR OF JOHN GEDDY.

BY ROBERT MYLNE, JUNIOR.

This Life of John Gedde, or Geddy, written by Robert Mylne, junior, son of the well known Robert Mylne, a Scotish antiquary of the last century, is taken from a MS. in possession of the Society of Antiquaries for Scotland. The Manuscript contains a genealogical account not only of the writer's own family, but of the different families with which he was connected; and he has devoted a considerable portion of his labour in collecting such particulars as he could procure relative to his kinsman, John Geddy, the earliest Scotish writer on the improvement of bees. Although miserably deficient in style and arrangement, generally prolix, and not unfrequently obscure, the memoir contains passages of some interest, and merits preservation, as the only existing record of a portion of the life of a very ingenious and meritorious individual.

Mr Geddy, in his time, attained considerable reputation by his attempts to improve and colonize* bees, and published a work on the subject, which, during his own lifetime, passed through three editions—all of them of great rarity. The two former the Editor has never seen; but the third, which is in his possession, has the following title :—" A Further Experimental Discovery of Bees, and their usefulness; with an excellent method for the better ordering and improvement of them, for their conveniency and safety, and the owner's profit, by way of bee-houses, boxes, and colonies. Experienc'd thirty years by John Gedde, Gent., Inventor; and approv'd by King Charles and the Royal Society at Gresham College. The third edition, enlarged; with several objections answered, and further helps given; and wholesom advices for the countries profit, and the bees better maintenance by planting.

* Bonner, in his " New Plan for speedily increasing the Number of Bee-hives in Scotland—Edin. 1785, 8vo,"—notices Geddy, but mistakes him for an Englishman. Adverting to his project, he observes, " Colonies have never yet been, and I am persuaded never will be, extended to general use, although it is nearly two centuries since they were invented by John Geddy, Esq." The invention was, at the time Bonner wrote, not so much as a century and a half old.

London, printed for the Author, and are to be had at Rich. Swalden's, a Joiner, upon Snow-hill, near St Sepulchre's Church. 1697." 12mo.

There is a curious advertisement explanatory of the system prefixed, which it is unnecessary to insert here, as Mylne has given the substance of it in the ensuing memoir. This notice to the public is followed by an introduction, bearing the signature of Richard Swalden, who, as appears from the title-page, was a joiner. The commencement is too interesting to be omitted :—" The author of the ensuing Treatise concerning the improvement of bees, being an ancient gentleman of the Scotish nation, has ordered me (whom he has deputed to transact in all affairs relating to the subject-matter of his book here in England) to make an apology for the impropriety or uncouthness of his style therein; which, therefore, in compliance to his commands, I hold myself obliged to endeavour (though, in my opinion, there is no great need of it). The language, indeed, is for the most part pure Scotish, and many things therein not so apposite and lively, at least not so grateful to us, as the English might have rendered it; but of this dialect the author (for the honour he bears to his native country) is very tenacious; and hopes (if it be understood, which he does not much doubt) the matter it treats of will make abundant amends for the defect of its style." This edition contains two plates of the bee-houses.

What success attended Mr Geddy in his project is not known; but in the year 1721, there was published " The English Apiary, or, The Compleat Bee-master; being a collection and improvement of what has been written by all authors relating to this subject, as well antient as modern." 12mo. To which was added, Mr Geddy's Excellent Method for Making Bee-houses and Colonies, reprinted from the original edition of 1675.*

Exclusive of his claims to public attention, as the inventor of a new method of " ordering" bees, Mr Geddy obtained great reputation amongst the more pious portions of the community, from being the father of a young lady, whose religious enthusiasm had obtained for her a high rank among the serious, and whose early death was a matter of deep regret. A specimen of her poetical powers will be found in the sketch of her father's life.

* The only separate Treatise, prior to the time of Bonner, on the subject of bees, written on this side of the Tweed, which has fallen under the notice of the Editor, is " The Scots Apiary, or, the Compleat Bee-master, by James Petrie, Gardener, in the eighty-third year of his age." Glasgow, 1769. Small 8vo. To which is added, an " Appendix, containing some remarkable occurrences during the author's life,"—by far the most curious part of his work.

MEMOIR OF JOHN GEDDY.

Michael Geddy, Baillie of St Andrews, had by his wife, Catherine Avery, three ſons, Patrick, John, and William Geddys.

Patrick, his eldeſt ſon, ſucceeded him in his lands.

John Geddy, his ſecond ſon, was deſigned of Hilltown of Falkland, and bailie thereof; he was alſo ſtewart-clerk of Fife. He was born at St Andrews, 163–.

On the 10th July 1647, he was bound apprentice to Mr William Henderſon, writer to the ſignet, to be his ſervant in his art and vocation of writer craft, for four years after the date hereof; "therefore, the ſaid Mr William ſhall now preſently accept the ſaid John Geddy in houſhold with him, and ſhall entertain him in meat, drink, boord, bedding, and ſhall inſtruct him in all the points of his ſaid art, for which Michael Geddy, his father, has inſtantly payed to the ſaid Mr William, of prentice fie, with the ſaid John his ſon, 400 merks, for which Mr William grants receipt and diſcharge;" and Mr Alexander Henderſon, procurator fiſcal to the town of Edinburgh, was cautioner for the ſaid John's honeſty; as the indenture itſelf, of the above date, at Edinburgh, more fully bears: to which Mr John Govean, miniſter at Muckart, and William Goevan, ſervant to the ſaid Mr William Henderſon, are witneſſes.

And this John Geddy having faithfully ſerved the ſaid Mr William Henderſon the ſaid ſpace, he diſcharges him of the above indentures, and his ſaid cautioner alſo: as witneſs his diſcharge thereof, dated at Edinburgh, the 11 February 1653. On the 17 March 1653, this John Geddy, then deſigned writer in Cupar, is aſſigney conſtitute be Mr John Ruther-

ford, advocate, titular of the feu mail and duty furth of his proportion of Lundies Clofe, in St Andrews.

This John Geddy being after a common notar and procurator at inferiour courts, had his place taken from him, becaufe he would not comply with the Engliſh, and fubſcribe their oath called the tender.

During the time that King Charles II. was in Scotland, 1650 and 1651, the countrie being rich, he was clerk to the committie of war, and attended the fame at Perth, Stirling, throw Fife, and moſt at Falkland, quher the king was, by which he gained a deal of money.

John Avery, burges at Falkland, and with him, Henry Crawfurd, at Powmill, his cautioner, having granted bond, dated at Falkland, 7 June 1633, to David Spence, burges there, for 200 merks they had borrowed from him; but now ſeeing John Geddy, writer in Coupar, has preſently payed to the ſaid David ane certain ſum, he aſſigns him and his heirs to the ſaid bond and annualrent thereof. This is dated the 23 November 1650.

William Bonar and others grants a factory to this John Geddy to get in their debts, dated 26 November 1653.

At the court of the ſheriffdome of Fife, holden within the tolbooth of Coupar, be Mr David Weems of Balfarg, ſheriffe of Fife, the 25th April 1654, anent the action perſewed be John Geddy, writer in Coupar, againſt Catharine and Margaret Averys, ſiſters, Agnes, Margaret, Iſobell, and Jean Weems, ſiſters daughters, and apparent heirs portioners of umquhill Ameas Avery, quho was likewayes one of the ſiſters and portioners of umquhill John Avery, bailie, burges of Falkland, and Michael Geddy, bailie of St Andrews, ſpouſe to the ſaid Catherine, and Mr William Wallace, ſervitor to the Earl of Angus, ſpouſe of the ſaid Margaret, for their intereſt, gets a decreet of the ſaid court againſt the heirs of the ſaid John Avery, for payment of the ſaid 200 merks aſſigned to this John Geddy by David Spence.

Oliver Lord Protector, at the inſtance of John Geddy, writer and portioner of Falkland, grants order to Elizabeth, Barbara, and Margaret, daughters to the deceaſed George Paterſon, portioner of Falkland, to

enter heir to their faid father, his debitor, which is ſigned at Edinburgh 6 April 1658.

This John grants bond to Margaret Traill, relict of James Duncan, citiner, maltman in St Andrews, for 400 merks, dated at St Andrews 9th February 1660.

John Lowriſtoun, ſtewart-clerk of Fife, James Earl of Annandale,* ſtewart of Fife, having lent him ſeveral ſums of money, and he not being able to pay the ſame, reſigned his faid office of clerkſhip into his lordſhips hands, to the end he might diſpone the ſame to any perſon he pleaſed, and in token thereof, delivered up to him his gift of the ſame to be uſed upon as he pleaſes. This reſignation is ſubſcribed at Falkland the 22 May 1649.

John Earl of Athole,† having got the right of ſtewart of Fife from the faid Earl of Annandale, granted an preſentation of the office of ſtewart-clerk thereof to this John Geddy, [quho] having payed money for the ſamen, was, upon the 9th May 1661, admitted, ſworn, and received clerk of the faid ſtewartrie, and the inſtrument of the intimation thereof is dated at Falkland the 23 of the faid month. This John, after the kings reſtoration, and a novodamus paſt the great ſeal, and a precept of ſaſine got furth of the chancerie, he was at the charge of the entering his lordſhip to the poſſeſſion of the whole, and infeftments in all the Darnoch and office of ſtewartrie, and of extending the ſaſine and regiſtration thereof, in the year 1674. This John Earl of Athole, having bargened with John Geddy for to give a dimiſſion of his faid office of ſtewart-clerkſhip, which he had bought from his lordſhip, and from one Robert Thomſon, ſtewart-clerk to the faid Earl of Annandale, at the rate of 4000 merks and above, beſides the expence of ingathering the regiſtors: and though his

* James Murray, ſecond Earl of Annandale, was the only ſon of John Murray, the favourite of James VI. (by whom he was raiſed to the peerage), and was ſerved heir to his father, 30th March 1641. His Lordſhip adhered, during the great Civil War, to the Royal ſide, and after the battle of Kilſyth joined Montroſe, upon whoſe diſcomfiture he retired to England, where he lived privately till his death at London, 28th December 1658.

† John, ſecond Earl of Athol, ſucceeded his father in 1642, ſucceeded to the earldom of Tullibardine, 1670, and was created Marquis of Athol, by patent, dated 17th February 1676. He died 6th May 1703, and was buried in the Cathedral at Dunkeld.

lordſhips bargain was by his word of honour, promiſs, and oath, that he ſhould have the money, that David Seton was to give for the ſaid office, upon the morrow after his demiſſion, that he might get the money; yet though his lordſhip received from the ſaid David 2500 merks for the ſaid office, he got not a groat thereof, though he ſuffered much threatening and other oppreſſions before he would condeſcend to the ſaid bargaine; he alſo was obliged to deliver up all the books, regiſters, &c. concerning the ſtewartrie, ſince this John Geddys entrie to the ſaid office.

This John Geddy, ſtewart-clerk of Fife, having undoubted right to the ſaid clerkſhip by vertue of an gift thereof to him, and ratification thereof in Parliament, his action depending before the Lords of Seſſion againſt the ſaid David Seton, ventnor in Brunt Iſland, anent ſeeing it declared that he has no right to the ſaid office of clerkſhip and profits therto belonging, but ought to remove therfrom, and to re-enter the ſaid John thereto, and to compt to him ſince his entrie, which he, fearing he will be oblidged to doe, intends, as its ſaid, to put away his lands, &c., and, therefore, he gets inhibition againſt him, which is dated at Edinburgh, the 22 December 1674. How he after ſucceided in this affair, I doe not find.

This John was aſſigney, conſtitute by diverſſe perſons, againſt Catherine Haitly, relict of James Avery, portioner of Falkland, and daughter and apparent heir to James Haitly, alſo portioner of Falkland, and Mr William Kinninmonth, miniſter at Keith, now her ſpouſe, for payment to him of ſeverall ſums adebted by her ſaid father, quherupon he gets ane order to charge her to enter heir to her ſaid father, dated at Edinburgh 4 July 1662.

John Ireland, portioner of Falkland, for ſo much as umquhill John Avery, burges of Falkland, as principal, and George Paterſon and James Haitly, burges there, his cautioners, by their obligation, dated 14 November 1639, bound them to pay to John Ramſay, in Hoilkettle, his heirs and aſſignies, 500 merks, but ſeeing John Geddy, ſtewart-clerk of Fife, has prefently payed to him a certain ſum, he aſſigns to him and his heirs the ſaid bond, and all that has followed therupon, this dated at Falkland 21 November 1662.

This John was tutor-in-law to Michael Geddy, only lawful ſon to the

deceaſt William Geddy, his brother, merchant, citioner in St Andrews, and grants receipt to Catherine Avery, this Johns mother, for 400 lib. Scots, employed for the uſe of his ſaid pupill in payment of a debt due by the ſaid William to Hellen Rind, and of a legacie left by him to William Edieſon, and of an other to the poor of St Andrews, and the reſt upon his own funerals; and therfor grants diſcharge of the ſame, dated at St Andrews, 2 January 1665. This ſame day, this John Geddy grants recept to his mother Catherine Avery, quho had paid him 300 marks left him by his father in his letter will, and therfor diſcharges the ſame, which is dated at St Andrews, 2 January 1665.

Mr George Lundy, ſiar of Drumos, for a certain ſum preſently paid him by John Geddy, ſtewart-clerk of Fife, and portioner of Falkland, therefore he aſſignes to him, his heirs and aſſignes, heretably and irredeemably, all and haill his 2 aikers of land, in that ſhed called Eaſter Suchmagrinzie, with the half of that piece land called Birkenſide, now annexed to the Hilltown of Falkland, with the half of the paſturages and priviledges of the Lowmond of Falkland; as alſo, he ſells and diſpones to him his haill remnant outfields lands, all lying within the burgh and parochine of Falkland and ſhire of Fife, with the rights of the teynds of the ſaid lands, in all which he binds himſelf to infeft and ſeaſe the ſaid John Geddy, his heirs or aſſignies, heretably and irredeemably, for payment to the king of the few duties uſed and wont. This is dated at Falkland, the 20 February 1665.

Me John Lord Burghlie,* for ſo much as the deceaſt Robert Lord Burghlie, my father, did freely diſpone all and haill his equal half of the chappel yaird, commonly called Birkenſide, to John Geddy, ſtewart-clerk of Fife, and the ſaid Lord John intending to obtain himſelf ſerved and retoured heir to his ſaid father, and having borrowed his ſaid father's ſa-

* John Lord Balfour of Burleigh was the eldest son of the marriage between Robert Arnot, son of Sir Robert Arnot of Ferny, and Margaret, usually designated Baroness Balfour of Burleigh, daughter and sole heiress of Sir Michael, the first baron. Robert Arnot took the name of Balfour, and in virtue of a letter from the king, assumed the title. He died at Burleigh, 10th August 1663, and was succeeded by his only son John, who marrying, in 1649, Isabel, daughter of Sir William Balfour of Pitcullo, greatly displeased his father, so much so, that he attempted, but without success, to annul the marriage. The third lord died in 1688, leaving three sons and six daughters.

ſine of the ſame, and other old writs belonging therto, from the ſaid John Geddy, of intention to further ſecure him therin, and having conſidered the good done to my ſaid father, by the ſaid John, and his continuance thereof to me: Therefore, wit ye me alſo to diſpone to him the equal half of the ſaid Birkenſide and pertinents, quherin he alſo oblidgis himſelf to infeft him therein, on the ſaid Johns charges. This is dated at Falkland, 8 March 1665, and herein alſo it is provided that John Geddy and his forefaids ſhould releive the ſaid lord and his of all duties bygone and to come, payable out of the ſamen lands to any perſons having right thereto, and which lands are to be holden of the ſuperiours of the ſame, for payment of the duties contained in the old infeftments of the ſame.

Thomas Beache, uncle and tutor-in-law to Andrew, Patrick, and Thomas Beache, ſon to John Beache in Bottoun of Durrie, for certain ſums preſently payed the ſaid tutor, by John Geddy, ſtewart-clerk of Fife, therefor he aſſigns him and his heirs to a bond of 800 merks granted by John Bonar of Lumquhat to the ſaid John Beache, as alſo to the ſaid John Beaches confirmed teſtament. This is dated at Falkland, 30 December 1665. This year, 1665, I find he was baillie of Falkland.

At Auchtermuchty, 17 May 1666, it was contracted between the baillies and council of that burgh, and John Geddy, ſtewart-clerk of Fife, which John having occaſion to goe for London, has received a commiſſion from them of that town, of the date hereof, to act and doe for them according to the ſaid commiſſion, viz. that he ſhall compear before his majeſtie or his commiſſioners, having power, in name and behalf of the ſaid burgh, to ſupplicate and preſent petitions concerning the priviledges and liberties of the ſaid burgh, and anent the clearing, amplifying, or receiving of the ſame, conform to the ſeveral charters of erection already granted thereupon, providing that nothing be done by him that may prejudge or impair the ſaid priviledges and liberties granted by the ſaid charters, and quhatſoever ſhall be done by the ſaid John Geddy to the advantage of the ſaid burgh, they promiſe to hold firm and ſtable, and to pay him for his pains and expences, and he hereby oblidges himſelf to take therefore quhat they think fit to give him, that is reaſonable.

At Falkland, the 28th January 1668, it was agreed between John

Geddy, ſtewart-clerk of Fife, and Mr Robert Arnot, clerk of Falkland, quhereby the one excambs feueral aikers of his land in Falkland, for other aikers of land belonging to Mr Robert.

In 1669, he gets the following permiſſion to incloſs and plant a piece of ground :—

We, noblemen, barons, gentlemen, and feuars, that has a right of commontie to the Lowments of Falkland, for our feueral intereſts, declares our willingneſs and conſent (for the encouragement of encloſing of ground, planting and policie, according, and in obedience to the acts of parliament and laws of the nation made for that effect), that John Geddy, ſtewart-clerk of Fife, haue liberty and privilege, and incloſe and plant, that piece of ground which has been reputed and uſed as commontie, as the ſamen lyes and is bounded within the ſaid John his arable lands, preſently poſſeſſed be himſelf and his tennants upon the weſt, north, and eaſt parts, ſo that the ſaid John may draw an dyke fra his own weſt dyke to his eaſt march, without prejudice, trouble, interruption, or moleſtation, plant and incloſe the ſame at his pleaſure, in all time coming, renuncing all action competent in law againſt him thereto, and diſponeing the ſame in his favours, for now and ever, with power to the ſaid John to obtain confirmation thereof, from our ſovereign lord the kings majeſtie, his and our ſuperiours of the ſame, or reſign the ſamen, as ſhall be found moſt convenient, with clauſe of regiſtration. Whether he accompliſhed this affair, I know not, but there is none but Burghly ſubſcribes hereto.

At Balcomie, 19 April 1669, it was accorded betwyxt this John Geddy and Mr Robert Learmont, brother to George Learmont of Balcomie—viz. the ſaid John oblidges him and his to paſs from the debt of 6000 merks, owing by Balcomie to John Bonar of Lumquhat, on the ſaid Mr Roberts paying him 4200 merks and bygone annualrent, and Mr Roberts having payed him 710 merks hereof, he grants diſcharge for the ſame, dated at Edinburgh, 7 March 1673.

On the 3 June 1669, this John Geddy gets inhibition againſt Elizabeth, daughter and heir of Patrick Rankine, advocate, and William Calderwood, appothecary in Edinburgh, her huſband, for 3000 merks, owing

as part of the price of the lands of Lumquhat, fold by the faid John to the faid Patrick.

In the year 1668, this John Geddy fell upon the new experiment and difcovery of better ordering and improving bees, which he experimented a while here in Scotland with fucceſs; he thought only of communicating this invention to his freinds and acquaintance, but in the mean time was advertiſed by an ingenious gentleman, that the illuſtrious Royal Society, Greſham Colledge (thoſe great encouragers and promoters of learning and all good intentions), had, in a Tranfaction, given a deſcription of one of his boxes* (which they had goten from the learned Sir Robert Murray, and he from Sir William Thomſon, who had got it from the faid John Geddy, and highly approved the fame); which invention, being by a form of bee-houſe, with boxes digeſted into colonies, which method doth prevent the ſwarming, flying away, out-ſeparating abroad, and frees the owners of great charge and trouble in attendance, and oft times loſing them, and falling into contention with their neighbours, and ſaves the owner from many the troubles, the bees from the evil reward of

* No. 96. July 21, 1673.—"The bee-house is made of wainscoat, about sixteen inches in height, and twenty-three in breadth, between opposite sides. It hath eight sides, each almost nine inches in breadth. It is close covered at top with boards, having a square hole in the middle, five inches long, and about four inches broad, with a shutter that slides to and fro, in a groove about half an inch longer than the hole. It has two windows opposite to one another, and may have more of any figure, with panes of glass and shutters. The door for the bees is divided into three or four holes, about half an inch wide, and as high, with a shutter that slides in a groove to cover them in winter. It hath two iron handles, with joints, to be placed about the middle, if there be no windows on the sides where they are; or above them, if there be. At top it hath a crease all round it, about half an inch in depth on the one side, and one and a half inch high; and another on the inside at the bottom, which serves to fix them when set upon one another. It hath also a hole about two inches in height and as much in breadth, on one side at bottom, by which the knife is put in to cut the bees' work, that passes through the whole, from one bee-house into another, as they work downwards into the empty house, which hath a sliding shutter to cover it. Within the bee-house there is a square frame made of four posts joyned at top and bottom, and in the middle, with four sticks for the bees, to fasten the work upon, which, though they will serve, yet it may be securer to have two more added in every one of these places, crossing the frame either from the middle of the opposite side sticks, or from angles, where the posts are placed." Phil. Trans. vol. vii. p. 6076.

ruin and deſtruction for their rich labours, which brings their maſter much benefitt, and is a publick good to the nation, by the abundantly more increaſe of wax and honey, than hath been by any other way formerly practiſed. This the ſaid Royal Society having proved and practiſed, and found the ſame to anſwer the deſign, did, in their ſaid printed Tranſactions, of the 21 July 1673, Number 96, recommend the ſame to the world, with its parts and uſe, as the beſt form of hives yet invented. King Charles the 2d alſo, having ſeen the ſame practiſed and proved, cauſed one to be erected at Spring Garden, near Whithall, and an other at Windſor, quhere, for ſeveral years, his majeſty did come to the places himſelf, and with delight beheld them, and ſaw the honey in its ſeaſon taken furth without troubling the bees, to his great ſatiſfaction, and willed and commanded an other to be erected in his ancient kingdome of Scotland, in his majeſties park of Falkland, for the good and benefit of his whole ſubjects, rich and poor therein, in order to ſtir up noblemen and gentlemen to follow his example; and being alſo *probatum*, by many profitable experiences to be ſeen in thoſe his majeſties dominions, and for effectuating whereof, his majeſtie did give and grant to the ſaid John Geddy 20 aikers of mariſh ground, in the eaſt end of the ſaid park of Falkland, to be encloſed, trinched, and planted with ſuch herbs, trees, and others, as is moſt ſuitable and convenient for maintenance and food of an apefacture; and ordered a convenient houſe to be built therein for that purpoſe, and did ordain the treaſurer and receivers of his majeſties revenues, to advance and pay to the ſaid John Gedde the ſum of 200 lib. ſterling, for building and accompliſhing the ſaid apefacture.

And that the ſame invention may be practiſed and promulgated through the nations, his Majeſty King Charles 2d hath given and granted by letters patents to be paſt under the Great Seals of Scotland, England, and Ireland, to John Gedde, his partners and deputies, the full and ſole power, priviledge, and authority of uſing, practiſing, exerciſing, and enjoying this new art and invention for improving bees, according to the ſtatute made in that behalf, excluding all others quhatſoever from making, uſing, or practiſing, counterfeiting, or reſembling the ſame, with-

out the fpecial licence and confent of the faid John Gedde or his deputies firſt had and obtained, under the penalties by the faid ſtatute in like caſe provided. The faid king's letters patents under the Great Seal of England, on this heed, are dated the 23 April 1675, forbideing all to uſe or counterfeit the ſame invention, without the faid John Geddes licence, under his hand and ſeal, or his partners, under the penalties by law appointed, during the ſpace of 14 years.

This encouraged Mr Gedde to the publication of the houſe and hives together; for, if the faid illuſtrious Royal Society eſteemed ſo much a lame and defective repreſentation of a part, then would they much more approve the whole invention, when certified of the long experience, commodiouſneſs, and conveniency of the ſame. Wherefor, in the year 1675, he went to London, quher he then publiſhed a book, entitled A New Diſcovery of an Excellent Method of Bee-houſes and Colonies, &c.; and the next year, 1676, he publiſhed on a ſheet of paper, then printed at London, called an advertiſement, which demonſtrates the right way and manner of practiſing this his new art of improving of bees, in forme of a bee-houſe and colony, &c. This new art being experimented by various perſons of quality alſo, and others, in moſt counties of England, with good ſucceſs, was found to be not only far more commodious, but more profitable than any way elſe ever practiſed, and approved by the moſt famous bee-maſters in England. Again,

In the year 1677, this John Geddy went again to London, quhere I find that, on the 10 July of that year, being the 29 year of the reign of King Charles II., there is indentures ſigned betwixt William Galt of London, Eſq. and Thomas Douglas of the ſame, doctor of phyſick, on the one part, and this John Gedde of the pariſh of St Margaret, Weſtminſter, in the county of Middleſex, alſo of Falkland in Scotland, gentleman, on the other part, thus—Whereas our faid Soveraigne Lord the King, by his letters patents, dated the 23 April, the 27 year of his reign, did give and grant to the faid John Geddy of Falkland, gentleman, and unto the faid William Galt, and one Samuel Vowell, gentleman, the full and whole power, priviledge, and authority of uſing and enjoying the new art of improving bees, within England, during the ſpace of 14 years,

the right and intereſt of which the ſaid Mr Vowell became afterwards veſted in the ſaid John Gedde, William Galt, and Thomas Douglas, or one of them; and quhereas the ſaid William Galt and Thomas Douglas did commit the management and proſecution of the ſaid art and invention, and the power and authority by the ſaid letters patent given, to the ſaid John Geddy, who, in purſuance thereof, did grant unto ſundry perſons in ſeveral counties of England and Wales, diverſe licences and authorities for making of colonyes, and otherwayes promoting and advancing the ſaid invention or art, as to him ſeemed fit and convenient; and hath likewayes made ſundry leaſes, contracts, and agreements with diverſe perſons touching the ſame art: Now, this indenture witneſſeth, that they, the ſaid William Galt and Thomas Douglas, in conſideration of the premiſes, and for that, they and each of them are, and is, and doe, thereby declare and acknowledge themſelves reſpectively to be well ſatiffied with the ſaid doeing and proceedings of the ſaid John Geddy, have ratified and confirmed, and by theſe preſents for themſelves, and each of them, their and each of their executors and adminiſtrators doe approve, ratifie, and confirm unto the ſaid John Gedde, and to the ſeveral perſons claiming under him, all and every ſuch leaſes, grants, licenſes, contracts, and agreements as have been granted, made, conſented, or agreed to by the ſaid John Gedde to or with any perſon or perſons, concerning the ſaid art or invention, or any the ſaid powers, priviledges, or authorities, by the ſaids letters patents, given or granted, relateing to or about the ſame, as well within the ſeverall counties of the principality of Wales, as alſo within the ſeverall counties and ſhires of England, and that in as full and ample manner, as if the ſaid William Galt and Thomas Douglas had been parties to ſuch leaſes, grants, &c.; and therefore doe releaſe and acquit the ſaid John Geddy, his executors and adminiſtrators, of and from all paſt accounts, troubles, and demands, of or concerning the ſame, for execution of the ſaid art, and the powers and authorities, touching the ſame, and they, the ſaid Thomas Douglas and William Galt, doe hereby give and grant to the ſaid John Geddy full power and irrevocable authority from henceforth, to uſe, exerciſe, execute, and put in vice, by and with the advice, conſent, or direction of Thomas Blond, of the pariſh of St Margarets, Weſtminſter, in the county of Middleſex, Eſq., and not otherwayes,

all and fingular the faid powers, priviledges, immunities, and authorities, touching the faid invention or art, in and by the faid letters patents, given or granted, and to have, take, recover, and receive, the benefits and profit of the faid art within the faid counties and places not affigned to the faid Mr Blond, and that in as full, ample, and beneficial manner, to all intents and purpofes, as the faid William Galt and Thomas Douglas might or could do or performe; and quhatfoever he, the faid John Geddy, fhall doe, or caufe to be done, touching the fame, he fhall be obliged well and truely to render a true, juft, and exact account of all and fingular fuch the doeings and proceedings of him, the faid John Geddy, in and about the premifes, by the advice or confent of the faid Thomas Blond, as aforefaid, unto the faid William Galt and Thomas Douglas, their executors, adminiftrators, or affignees, from time to time, as he the faid John Geddy, his executors or adminiftrators, fhall be reafonably required in that behalf. In witnefs quhereof, the parties firft above named to thefe prefent indentures their hands and feals (which are broke off) interchangeablie haue fet the day and year firft above written. This indenture is finely wrote on a large fheet of parchment.

While John Geddy is thus occupied at London, Sir Francis Holles, Baronet, of Wynterborne, St Martins,* in England, gives him a commiffion, with full power to buy, bargane, and agree for the heretable right, title, intereft, and poffeffion of that Ifland, in the river of Forth, called Inchkeith, near Kinghorn, with the houfes, yairds, and inclofures, harbouries, fifhings, anchoradges, fhores on all fides, and whole priviledges, fuperiorities, fewduties, jurifdiction, or any thing that doth pertain thereto, for his own proper ufe. This is fubfcribit by Sir Francis, and dated in St Martins Street, 9 April 1679.

The above gifts, granted by King Charles 2d to this John Geddy, were after renewed by his fucceffour, King James the 7th, for yearly payment of the number of 20 pound of wax, to be payed by the faid John and his fucceffours to his majefty and his royal fucceffours; but becaufe of the iniquity of the time, and the iniquitous laws and oaths

* Only son and heir of Denzil Lord Holles of Ifeild. He succeeded his father in 1680, and died, aged 63, on the 1st of March 1689–90.

that was preſt upon every one that was an heretor, or ſhould paſs any gift or grant from the king, through the ſeals, all thoſe years, the ſaid John Gedde could not effectuate his buſineſs, becauſe he would not take non of theſe oaths, and was hotly perſued for his not complying with the cowrſes of that time, which neceſſitated him, his wife and family, to abandon his native countrie until King Williams acceſſion to the throne, to whom he made application for confirmation of the ſaid gift; and in the year 1697, publiſhed at London a 3d edition, which he calls a further experimental diſcovery of bees and their uſefulneſs, with an excellent method for the better ordering and improvement of them for their conveniency and ſafety, and the owner's profit, by way of bee-houſes, boxes and colonies, then experienced 30 years by the inventor. In this edition he anſwers ſeveral objections, and gives further helps and advices for the countrie's profit and the bees' better maintenance, by planting. This book is printed at London, in octavo, conſiſting of ſeventy-four pages.

But to return back again to the ſaid Johns affairs in Scotland. This John Geddy having ordered James Urquhart, one of the gentlemen of his majeſty's guards, to apprehend Mr Alexander Hamilton of Kinkell, accompliſhed the ſame at the deſire of John Gedde, bailie of Falkland; but upon his becoming cautioner for the ſaid Kinkell to produce his perſon to the Lord Chancellor quhen he called for him, under the pain of 10,000 merks, Kinkell oblidges him to releive the ſaid John of the ſaid penalty, and of all danger he may incurr therethrow. This is dated at Falkland, 13 March 1673.

William Home, merchant-burges of Edinburgh, grants receipt to John Gedde, preſent bailie of Falkland, for 120 lib. Scots, as the price of certain muſkets, picks, and bandeliers, bought be him for the uſe of that ſaid town, conforme to their order, dated 5th July 1669, with full power to the ſaid John, if need bees, to purſue the ſaid town for his reimburſunt. This is dated at Edinburgh, 20 March 1673.

John Gedde, bailie of Falkland, and Anne Wallace, his ſpouſe, being owing to John Watſon, merchant in Edinburgh, 2500 merks, for payment quhereof they aſſign him to the maills and duties reſting to them by the tennants and poſſeſſors of their lands and aikers lying in the territories of the burgh of Falkland, and liberties thereof, as alſo to their tennants of

the lands of Hilltown of Falkland, and that for the cropt and year 1674. This is dated at Falkland, 5 June 1674.

Henry Lord Cardrofs* having right as fuperior and patron to certain few-duties, patronages, teynds, and other cafualties, within the fhire of Fife and Kinrofs, conforme to the charters and infeftments following thereupon, granted to his predeceffors and himfelf, therefore he conftitutes John Geddy, bailie of Falkland, his factor, to gather up the faid few-duties, &c. in his name and to his behalf, from his vaffells, and to examine quhat bygone fews and teynds are refting. This is dated at Cardrofs, 3d July 1674.

The following paper, wrote with this John Geddy's own hand, this year 1674, which contains fome paffages of his life, take as follows :—

When I (fays he), anno 1657, married Anna Wallace, non of us then received any portion of our parents to live on, yea, not fo much as we beftowed on our own marriage plenifhing and houfe, for our land eftate it was wholly life-rented by Martha Blythe, our grandmother, and Catharine Haitley, our uncle's wife, quho this year, 1674, was this year living on the one-half thereof. There was alfo at that time 2000 merks of debt refting upon the faid eftate and annuals therof running on, becaufe the liferenters payed non, quherby we were redacted to live only upon my employment and calling, being then but a common notar and procurator at inferiour courts, my place being taken from me then, as now it is, becaufe I would not comply with the Engliſh, and fubfcribe their oath called the tender; yet confidering the eftate was old, for many hundreds of years, and the love I had to preferve that old inheritance, made us, under God, much toile and labour to recover the fame, which, by the bleffing of God upon my employment, and the affiftance I had from my grandfather, grandmother, and father, and compofition I got

* Henry, third Lord Cardross, succeeded his father in 1671. He was fined L.5000 in 1674, in consequence of his lady's hearing her chaplain preach in her own house. Of this sum he paid L.1000, and got the remainder remitted. He was, however, imprisoned in Edinburgh Castle, where he continued four years. Subsequently he went to North America, and established a colony in Carolina, which was destroyed by the Spaniards. He then returned to Europe, and joined the Prince of Orange, whom he accompanied to England. He raised a regiment of dragoons for the public service in 1689, and served under General Mackay, whose memoirs have been recently printed. His Lordship died at Edinburgh, 21st May 1693, in the 44th year of his age.

from the creditors, I did, and payed 15000 merks to releive the faid eſtate. I payed for repairing the great houſe, building ſeverall loft-ſteads on the lands for tennants to improve the fame, planting, ditching, and incloſing the ground, in 7 years' ſpace, 5000 merks. Item, for lands I bought from the Lairds of Drums and Pitlochie, payed 6000 merks. Item, to George Ferne, for a houſe bought be him lying beſide the palace of Falkland, 1000 merks. Item, to the Earl of Athole, and Robert Thomſon, by his order, for my place of ſtewart-clerk of Fife, when the king came home, 4000 merks. Item, advanced to Mr Robert Walker, preſent ſervant to the king, 2000 merks. Since the king came home, to 1674, I was 3 journies at London. Item, advanced to the Earl of Athole, as ſtewart of Fife, for the commiſſioners of theſaurerie, and for paſſing a novo damus of my own lands, appending the great ſeal, and attending the Exchequer all that time, aboue 3700 merks. I have alſo advanced, for my brother ſon, my pupill, aboue 2000 merks. The way I got this riches was, that for 10 years together I had great employment, the countrie being rich, eſpecially thoſe years that the king was in Scotland moſt at Falkland, I was a clerk to the committee at war, and attended the ſame at Perth, Stirling, throw Fife, and moſt at Falkland, where the king was. My lands holds few of the king, and erected in a tennandrie called the Hilltown of Falkland, with all priviledges, for payment of 7 lib. Scots yearly, together with a chalder of bear of teind to the kirk; which heretage of land, the yearly rent quhereof is 7 chalder of bear, is payed by aiker, tennants, and 300 merks of money rent, beſide kain foulis few duties, payed furth of certain houſes and lands, quhereof I am ſuperiour, and beſide the principalle dwelling houſe, yairds, and pertinents, and ſome pieces of ground well planted, which, in true value, in hail is 13 chalder and 100 merks.

James Monroe, writer in Edinburgh, having payed this John Geddy a certain ſum, he aſſigns him to 3 lands, containing 400 merks and 100 lib. This is dated at Edinburgh, 6 January 1675.

John Wilſon, theſaurer of Falkland, ſold and diſponed to this John Geddy of Hilltown of Falkland, and his heirs and aſſignees, heritably, his two butts of out field lands, lying within the liberties of the burgh

of Falkland, for an other piece of land the faid John had fold in excambion to him. This is dated at Falkland, the 20 Auguft 1691.

In 1682, the miniſter and kirk feſſion of Falkland lybells this John Geddy before the ſtewartrie court of Fife, for comeing over the dykes of the churchyaird, and, without libertye, burying his daughter, Emilia, there, and placing a raill about her grave, as is more fully related afterwards.

This John Geddy of Hilltown of Falkland, on the 21 of Auguſt 1657, married Anne, daughter to Mr William Wallace, ſchoolmaſter at Air, brother to Daniel Wallace, provoſt of Glaſgow, and his wife, Margaret, daughter of John Avery aforeſaid. Before this I have a letter on this head ſent from Edinburgh, by [Robert] Lord Burghly, directed to his worthy cuſing, Michael Geddie, bailie of St Andrews, this Johns father, whereof the tenor follows :—

Worthie Cousin,

I have been conferring with your ſon, John, concerning the purpoſe of marriage he intends with my couſing, Anne Wallace; on the which head he is not to have any great portion for the preſent, yet Gods bleſſing, and a good woman, is very much; and if I were in the condition that I might doe what my affections carries me to, be confident I ſhould not be inlakeing, but, howſoever, for the preſent I ſhall gladly diſpone to him, with her, my heretable right of my half of the chappelyard to them, and I doubt not of your affections to your ſon, but that you will doe all that poſſible ye may doe, ſince he is to keep up the memory of my grandfather and anceſtors in that place; ſo, entreating you to conſider earneſtly of this, and to join your helping hand,

I am,

Your very affectionate friend,

Burghley.

Edinburgh, 18 of July 1651.

By this marriage, John Geddy had two fons, Michael and John Geddy, who both dyed young, and lye buried at Falkland, and a daughter, Emilia, borne there, anno 1665, and was fo named after the Lady Emilia Stanley, daughter to John Earl of Derby in England,* and lady of John Marquefs of Athole. Mr James Hog, who was acquainted with her, hath printed fome choice fentences and practices of hers, from her infancy to her death, which were gathered from her parents and other judicious perfons, which he publifhes at Edinburgh, in octavo, 1717, conſiſting of feventy pages, being a girl of admirable piety and religious diſpoſition ;† in which book, page 22, quherein but 8 years of age, fhe had this conference with her father, which (if true) is remarkable, as here followeth :—

Her father being clerk to the kings ſtewartrie of Fife, was required and preſt to take the declaration, and threatened in cafe of his refufal; whereupon he called his daughter, Emilia, and faid to her, I am threatened and like to be forced to take the declaration. She comeing to know fufficientlie what it was, her father inſiſted, and faid, Whether ſhall I take that oath or not—what think you of it? She anfwered, Take it not: God forbid you ſhould take it. But, faid he, Emily, they will take my place from me. She replied, That he needed not much care for that. But, added he, they will profecute me further, and take away my eſtate, and then how ſhall you and I live? She anfwered, Dear father, take no thought of me: God will provide for us: let us live by faith. But, faid he, God hath appointed means to be uſed for an honeſt livelyhood, and hath commanded us to uſe them. She anfwered, He hath indeed appointed lawful means to be uſed, but we may not uſe ſuch as are un-

* She was the third daughter of James, seventh Earl of Derby, beheaded for his loyalty, 15th October 1651. His mother was the illustrious defender of Lathom Charlotte de la Tremouille, daughter of Claude Duke of Thouers and Prince of Palmont. She was related to almost all the crown-heads of Europe. Through this marriage, the lordship of the Isle of Man, and the barony of Strange, ultimately devolved to the Athol family.

† In the Catalogue of Tracts, which belonged to David Constable, Esq., No. 3950, there is an edition, Glasgow, 1720, 12mo, with this title—"Some choice Sentences and Practises of Emilia Gedde, Daughter of John Gedde of Hilton, in Falkland, in Fife, from her Infancy to her Death, 2d of February 1681."

lawful. Ay, but, faid her father, I fee no mean for our lyvelyhood except I take the declaration. All this he fpoke for trial, being fully refolved not to take it, but lofe his faid place on that head. She faid, Dear father, doe not take that declaration, and I will tell you how you may live. How is that? faid he. She anfwered, I will goe to fervice, and quhereby I may get meat, and alfo old cloaths from fome perfons of honour, and fo I will fave my wadges, and give them you to live upon. Her father anfwered, Whom can you ferve, or who will give you wadges? you are but young. She anfwered, I know a lady quho will give me both food, rayment, and wages; fuch wages I will give to you.

Ibid. p. 32, anno 1675, her father being at London, fhe wrote a letter to him as follows:—

Loving Father,

I pray you may be guided in your way, and not left to fin againft God, for this is a very trying time, and the people of God are under many temptations. You have need to watch over your own heart. Now, if the Lord bring you to your journey's end, I defire you may bring me home a new Bible, and the Confeffion of Faith and Catechifms, with the Covenants and Scriptures at length, and quhat elfe you pleafe. I am unwilling to trouble you farther, and fo reft your affectionate daughter,

Emilia Gedde.

Falkland, June ij, 1675.

Prefent my fervice to Mr Carmichael (minifter) and his wife. Farewell, dear father. I wifh to hear good news of you.

She went after to London to be educate, quher fhe abode for the fpace of 10 months, quhen fhe was in account with every one, and much efteemed, yea, and admired, by her teachers; her fchoolfellows alfo refpected her. She after fojourned for 7 month more with her mother in the north of England; but upon her return to Scotland, fhe went to Air, to vifit her grandfather and grandmother, quhere fhe took a violent

cholick, which lafted for the fpace of feventeen hours, after goeing to Edinburgh, and next to Falkland. In the 7th month of the 16th current year of her age, fhe was aſſaulted with the ficknefs quhereof fhe dyed, being a continued flux and gravel, both which were violent during the fpace of 6 weeks; and conſidering her youth and tender body, all beholders admired her patience and chriſtian deportment, and on the 2d of February 1681, departed out of this mortal life, with great compoſure of mind, cloſing her own eyes and lips, and having ſtretched down her body, fhe had no more motion, but ſlept with her fathers. The ſaid Mr James Hog gives her the following character:—

That fhe has ſuch rare endowments both as to natural parts and graces, that it was hard to determine in which of them fhe moſt excelled; her diſpoſition, even from mere infancie, and throughout the few years of life fhe attained, was ſweet, modeſt, meek, and humble; fhe was ſtill ſo far before hand with the means of her education, that fhe drunk in neceſſary inſtruction from her parents and teachers a great deal more quickly than it was adviſeable to infuſe it into ſuch a weak and tender veſſel (being almoſt ſubject to continual frailties and ſickneſſes); thus fhe became a woman long before her childhood expired. In ſum the comelineſs of her perſon, the amiableneſs of her countenance, ſolidity of judgement, acuteneſs of wit, tenacioufneſs of memory, ſweetneſs of diſpoſition, modeſty in behaviour, obedience to parents, ſubmiſſion to governours, obſervance of ſuperiours, love to equals, condeſcention to inferiours, and candour towards all, were found in her to a very high degree. In a particular manner, fhe was obſerved to have a ſingular regard for the Lords Day. Thoſe wonderfull excellencies, much above the ſtate of children, rendered her company both deſireable and uſefull.

Her advice to her friends:—

> When flowers doe feed the bloſſoms dyes:
> Young women all I doe advice,
> Their time in earth aright to ſpend,
> That living well foe they may end.

The bees in feafon food provide,
Which makes them winter ſtorms abide;
Strive in your hearts grace for to plant,
Death you'l furprife, if faith you want.
The trees in ſpring doe flouriſh faſt,
When autum comes their leaves they caſt;
So whilſt in youth you beauty have,
It feedeth ere you goe to grave.
When death doth come, and ſcepture ſwayes,
Flowers, bees, and trees, with me decays,
Nothing in earth but change you ſee,
Seek God in fear, and he'l ſet you free.
Parents forebear to moan your loſs,
Chriſt taken hath from me the croſs,
I hope in heaven meet we ſhall,
And joy of our memorial.

She had defervedly this following encroſtick made upon her at her death, by one that admired her early piety:—

E mblem of wit within this coffine lyes:
M ade peace in time; death did her not furprife:
J eſus redeemed her; Abraham hath received
L iveing in's boſome; hell ſhe hath deceived:
I n foul and body of vertue was great ſtore:
A ll vice refrained; all crimes ſhe did abhore.
G race in ſuch bulk no more could be contained:
E nding her life true Preſbytrie maintained.
D eterred at Popery, ſhe prelats would ſupplant:
D eſired adherence to the good covenant.
I n heaven with ſaints, tho' not by her own merit,
E ternal reſt her ſoul doth now inherit.

Her epitaph follows:—

Moſt cruel death, thy hand hath no compaſſion
Of ſex or age, or quality or faſhion:
Thou has bereft us of the richeſt gem
That ever was extracted from her ſtem.
(Tho' truly good, and of a virtuous race,
Not any from it capable of diſgrace),
Emilia's gone to her eternal reſt,
Earths ornament, and natures fram the beſt:
Her tender years fled from thoſe horrid times,
And left them to the puniſhment of their crimes.
Her nimble fingers were to virtue prone,
Her prudence was inferiour unto none:
Her beautious face was too good for to be
Made pryſe by mortals of her chaſtitie,
So that her pious, prudent, beautious face,
Did ſo inſinuat in her Saviours grace,
Her ſouls bridegroom eſteems her worth to be
His handmaid even to all eternity,
Yeilding her ſouls bridegroom her virgine bed,
Even unto him her ſoul and maidenhead.

This Emilia Geddie was buried in a new burial place at Falkland, for which the miniſter and kirk ſeſſion thereof lybells, 1682, her father, John Geddy, in manner following:—

John, Marquis of Atholl, and ſtewart-principall of Fife. To, &c. for as much as it is ſhown to us be Mr John Hay, preſent miniſter at Falkland, William Marſhall, and James Ireland, elders of the ſaid kirk ſeſſion, for themſelves, and in name of the remanent elders of the ſaid kirk, and James Spens, their procurator fiſcall, for his intereſt: That quhere the deceaſt Mr William Barclay, late miniſter at Falkland, and the elders of the ſaid kirk ſeſſion there, having conſidered the great diſtance the old

burial place was from the town and paroch, did buy with money belonging to the poor there, being then in the cuſtody and keeping of the ſaid kirk ſeſſion, an parcell of land adjacent to the town, dedicat for an church yaird, for the uſe of the inhabitants and paroch; deſigning thereby not to depauperat the ſtock of the poor, but to augment the ſame by uplifting and exacting from thoſe in the pariſh who had any perſon they were concerned in to be interred there, ſuch acknowledgement and compoſition, as might in proceſs of time make up the ſaid ſtock of money ſo deburſed; and which piece of ground they have incloſed and built dykes about the ſame, that it might be preſerved for the aforeſaid uſe, and have been in peaceable uninterrupted poſſeſſion thereof thir nine years bygone; and albeit there are many good laws diſcharging any to intrude upon an others property, nevertheleſs John Geddy, late bailie of Falkland, and his complices, all burgeſſes of Falkland, has, contrair thereto, without any leave aſked or given from the ſaid miniſter and kirk ſeſſion, gotten in over the dykes of the ſaid church yaird, and moſt unwarrantably, with his complices, on the blank day of blank laſt bypaſt, digged large holls in the dykes of the ſaid churchyaird, and has digged up much of the ground, and broken the ſuaird, and bigged and erected a raill or peall about the grave of Emilia Geddy, his daughter, deſigning thereby to appropriat that part for his burial place as property, without paying any acknowledgement to the kirk ſeſſion for the uſe of the poor in manner aforeſaid; and alſo the ſaid perſons, without leave aſked or given, did, in December laſt, get in over the churchyaird, and digged large holls round about the ſaid raill or peall, and therein has planted ſix large trees, quhairby the ſaid offenders are guilty of intruſion and encroaching upon the ſaid churchyaird, heretably pertaining to the ſaid kirk ſeſſion; and therefore, in equity, the ſaid John Geddy and his complices ſhould be decerned in an unlaw therefor, and to pull up the ſaid raill, and to make payment to the miniſter and kirk ſeſſion of 20 merks, as damage, and fill up the ſaid holls, and make the ſame levell as before, and alſo in an unlaw, and amerciate of court, for planting of ſix great trees about the ſaid peall or raill, and alſo to pull up the ſaid trees, and

throw them over the ſaid churchyard dykes, and to make payment of other 20 merks of damages, &c. What came of this affair after, I know not, for I find no more papers anent it.

AD HUMANISSIMUM ET SPECTATISSIMUM VIRUM JOANNEM GEDDY, CURIÆ SENESCALLATUS FIFENSIS SCRIBAM.

Summa ſalus tibi ſit, vir præclare, tuiſque ;
Opto tibi ex amino felicia tempora vitæ.
Juſſiſti, ut memini, me quondam excerpere carmen.
Parentum monitis, quoniam vir es imperioſus.
Accipe nunc placido vultu ergo, animoque ſereno,
Accipe bis ſeptem hinc quod ſcripſi carmen ab annis.
Perlege, ſi vacat, et, ſi placet, eſto patronus ;
Perlege limato mihi magnus et eſto patronus.
Reſponde, impedio tua feria ? contraho vela.
Cogito nunc Fanum Andreæ, fautore Jehova :
Patricio fratri dilecto, conjugi, amicis.
Ipſe tuis verbis multam narrabo ſalutem.
Forſitan, ut dixi, tua feria turbo ; tacebo.
Summa ſalus tibi, et uxori ; dominique valete.
Bruma agitur nobis jam ſexageſima quinta :
Kinroſeæ undecima tranſcripſi hæc luce Novembris.
Eſt tuus ad mortem qui ſcripſit, " Porrige Sortem :"*
Cœleſtes tibi opes Andreas Smallius optat.

* Probably the title of a Latin Poem.

CORRESPONDENCE BETWEEN GEORGE RIDPATH AND THE REV. ROBERT WODROW.

Of the life of George Ridpath, whose correspondence with the Rev. Robert Wodrow, the historian of the Sufferings of the Church of Scotland,* immediately follows, very few memorials remain. Although a writer of great celebrity in his day, and having the honourable distinction of "Head of the Presbyterian party in Scotland"† conferred upon him by his antagonists, a great portion of his history is obscure; and to his enemies we are chiefly indebted for the feeble light that has been thrown upon it.

A passage in the pamphlet, of which the full title has been given in the note, leads to the inference, that Ridpath‡ was a native of Berwickshire, had remained during his youth with his mother at Colbrandspath, a village in that part of Scotland, and had been educated there prior to his removal to the university of Edinburgh. His connection with the "Merse," as it was then usually denominated, is confirmed by a paragraph in his tract, entitled "The Scots Episcopal Innocence," in which he vindicates himself from the degrading epithets of varlet, &c., bestowed upon him by Sir William Paterson, and declares, that he is "content to refer it to any herald in Scotland, whether the family whence he is descended or Sir William's

* Wodrow, MSS. Advocates' Library.

† See preface to "The Spirit of Calumny and Slander, examin'd, chastis'd, and expos'd, in a letter to a malicious libeller, more particularly addressed to Mr George Ridpath, newsmonger, near St Martin-in-the-Fields, containing some observations on his scurrilous pamphlets, published by him against the kings, parliaments, laws, nobility, and clergy of Scotland; together with a short account of Presbyterian Principles, and Consequential Practics. *Tenue est mendacium, perlucet si diligenter inspexeris.* Senec. London, printed for Joseph Hindmarsh, at the Golden-Ball, over against the Royal Exchange. 1693. 4to." Ib. p. 41.

‡ There were several families in Berwickshire of the name of Reidpath or Ridpath. From Thomson's Abridgment of the Retours, Thomas Ridpath of Drumrig appears to have been served (November 18, 1624) heir to his father George in the three merk land of *Drumrig*, and two-and-a-half merk land on the *west* side of Angelraw. Upon the 10th of February 1654, George Readpath is served heir to his father Thomas in the three merk land of *Crumrig*, and "two-and-a-half merk land in the *eist* side of Angelraw." There seems no doubt that these are the same lands; but it is very odd, that, in thirty years, one parcel of land should have changed its name, and the other its locality. Probably the last-named person may have been the father of Wodrow's correspondent.

be the best. It can be very well instructed, that the family of Ridpath is of the same original with the Gordons, both by the herald's book, their armorial bearings, and constant tradition. And I think," he continues, " there's none will deny, that the family of Gordon is one of the eldest and greatest families in Scotland. The History of Douglas does also own, that their princely family did not think it below them to espouse the quarrel of that of Ridpath; the best families of the Mers, as those of Swinton, Cockburn, &c. will not disown their having been allied to them. And there's yet a monument in Cranshaw's church, at the head of that which was formerly the Baron of Ridpath's seat, demonstrating that one of our Kings did not think it below him to be the guest of that family, and to honour them with his company to church."*

In the year 1681, Ridpath appears, whilst tutor, or, as his adversaries assert, servant, to the sons of a Mr Gray, to have taken a prominent part in the attempt of the students to burn the Pope in effigy at Christmas. This project, notwithstanding the exertions of the magistrates and military to prevent it, was successfully carried into effect; but, as it was regarded as a studied insult on the religion of the heir-apparent, then in Scotland, the authorities judged it expedient to apprehend all those who had taken any prominent part in the offensive pageant. Ridpath, amongst others, was taken up; and the following letter, to which we shall subjoin his reply, gives both versions of the affair. The author of the letter is said, by Ridpath, to be Sir William Paterson, and there seems no reason to doubt this assertion. It is addressed to a friend in London.

" Edinburgh, July 22, 1693.

" Sir,

" I had not yours till last night, which lets you see that it hath been a month by the way, and this is the true reason your return is so late.

" As to that silly varlet Ridpath, all I can say of him more than yours to me contains, which I know to be most exact truth, is, that being apprehended and made prisoner here about Christmas 1680, for contriving and writing a Bond of Combina-

* The Scots Episcopal Innocence; or, the juggling of that party with the late King, his present Majesty, the Church of England, and the Church of Scotland, demonstrated: Together with a Catalogue of the Scots Episcopal Clergy, turn'd out for their disloyalty, and other enormities, since the Revolution. And a Post-script, with reflections on a late malicious pamphlet, cotituled, *The Spirit of Malice and Slander*. Particularly addressed to Dr Monroe and his journeymen, Mr Simon Wild, Mr Andrew Johnston, &c., near *Thieving Lane*, Westminster. *Rumpantur et Ilia Codri*. By William Laick. *Impavidum feriunt ruinæ*. London, printed in the year 1649.

tion, or kind of association for burning the Pope in effigie, which you know was a folly never before that time attempted here, and was designed then by the rogues of this city, particularly the Presbyterians, as an indignity to his (then) Royal Highness. This bond being found in the custody of this villain, by the diligence of the Learned and Reverend Dr Cant, (then) Principal of King James his University of Edinburg (who, though he was a celebrated champion for the Protestant Church, yet had he a just indignation against all rabbling and tumults). This bond, I say, is now in the Council Office, and I have often seen and read it. 'Tis indeed a young League and Covenant, containing a clause of mutual defence, not excepting the King, or any in authority under him; and an invitation to prentices, and all others, to join in this their association. Now, a bond of this nature is, by many laws and acts of Parliament, declared treason; and that, not only since the dreadful effects of the infamous League and Covenant, but even by very old acts in the reigns of King James the First and Second. So much for this. This scoundrel was committed, who was not then a boy, but a fellow come to years, and then a servant* to two sons of one Grey, a person living on the English border, and of the same gang with his man Ridpath.

"The fellow confess'd, before the Committee of Council, that he had drawn this bond, but would not own that he had been prompted to it, or assisted in it by others, though the Council well knew that many of the ringleaders of the party were the promoters of this trick, which was design'd as a prologue to a rebellion against the (then) government. For this villany the law here might have justly sent him to the gibbet, and perhaps the Council had put him in the hands of the Judges Criminal, had he not been preserv'd by the unparallel'd clemency of the Prince that (then) sate at the helm here, which you know is so natural to that sacred race. I remember the Duke of Rothes the Chancellour, and several other great Lords, having examin'd him, and finding him very false and obstinate in his answers, ordered him to be committed close prisoner till he were further examin'd. And, as he was going to prison, seeing a crowd about him, and considering them as a rabble, he cry'd out aloud that he was 'suffering for the Protestant religion,' the ordinary but false pretence of all seditions and rebellions here. For which he was for some days put in irons, and a little after, by the goodness of his (then) Royal Highness, who was always too compassionate to that *generation of vipers*, he was dismissed. This is all I can remember or learn of this creature.

* "And, as for being servant to the two sons of Mr Grey, it's false; he had no concern but with one of the Greys, and that was as an assistant in his studies; and that gentleman did then, and does still, treat him as his companion, nor is he ashamed to own that he serves Mr Grey now." Scots Episcopal Innocence, p. 52.

"I hear in his late pamphlet, which I have not yet seen, he has the impudence to say that one Margaret Paterson (a prostitute sufficiently infamous) should have confess'd somewhat before the criminal court, relating to the Archbishop of Glasgow* and me. I am satisfied that all that that villain has scribled of the bishop be believed, if ever she named either the bishop or me in her confessions, either before that court, or any confessions else, whether public or private. Nor did the bishop hear of such a creature till the noise was made at her being taken naked in the bed with the late Presbyterian moderator Kennedy his two sons, for which they stand declared fugitives in the justice court books for the horrid crime of incest.

"As to what relates to the C[esnoc]ks, I make you this distinct return. In the year 1684, Sir Hugh and Sir George Campbels of C[esnoc]k, with Baylie of Jerviswood, Commissar Monro, Mr William Spence, Mr William Carstairs, and some others, were sent down prisoners here by sea, and were kept close for some weeks; during which time, I had occasion to be often with them, for the council ordered any of their friends to converse with them, and see them in presence of any of the clerks of council; and such of them as are yet alive, and their relations, will bear me witness, that I was as easie to them that way as they could desire. For the truth is, they all professed so much innocence in the matter they were accused of (which was for being in a conspiracy with the late Monmouth and Argyle, for raising a rebellion in both nations at the same time, and which fell out the next year accordingly); and that with all the circumstantiated imprecation to them and their families, that I began to believe the government had been imposed upon in this matter, and contracted such a compassion for them, as made some of our then statesmen angry with me; and yet Carstairs, upon the first application of the thumb-screw, even the

* John Paterson, whose character, if his opponents are to be believed, was far from being correct. He was called Bishop Bandstrings, from his having, while in the pulpit, kissed his hands to shew a female with whom he was enamoured, that even there he had not forgotten her. This story was anxiously circulated by his enemies: its truth, however, is very questionable. A scurrilous ballad upon him was in circulation, to be sung to the tune of "John Paterson's Fole goes foremost." It commences,

Of all the pleasures men can have
  Above or yet below,
The fairest, and the rarest,
  I will unto you show.

It's called the bishop's kiss
  That dwells in Edinburgh toun,
Which to the world doth declare,
  How he deserves his gown.

first touch of it, confessed all, as may be seen in his printed confession, in the tryal of Jerviswood; and then Monro, and afterwards the two C[esnoc]ks themselves; which two Campbels were upon their judicial confession, forefaulted in plain parliament, 1685, and their estates annex'd to the crown; tho the king gave them not only both remissions for their lives, but even ordered their estates to be returned them, upon their paying a very inconsiderable composition to some of the then statesmen. That which the rascal Ridpath aims at, I suppose, is a process which was commenced some time before that against old C[esnoc]k. The undisguised matter of fact was truly this, which you may rely upon for certain and recorded truth.

"There was one Wallace a collector or surveyor in Airshire. This man gives information to the secret committee, that there were three men in that country, who had assured him that old C[esnoc]k had encouraged several country people to the rebellion at Bothwell Bridge, 1679; and that, particularly, he had said to themselves whom he rencountred with, upon a place called the Bridge of Galstoun, near his own house, "What meant such young lusty fellows to stay at home, when the people of God were in arms for their covenanted cause?" and bid them go on to the rest (the Whig army being then at Hamiltoun, within ten miles or thereby to that place), for he and the rest of the country would quickly be with them. Upon which information, the three fellows are brought in, and kept some time in the Cannon Gate Prison. I heard them examined before the secret committee, and all of them, both jointly and separately, were very positive, clear and distinct in their depositions. Upon this, an indictment is raised against C[esnoc]k, and the same witnesses are again examined upon oath before the justices, which is called by our law *a precognition*, and there they were again very firm, and seemed altogether clear and sincere. But the day of the tryal being come, and a disaffected crowd getting in about these witnesses, when they came to depone they began to waver much, and upon the matter deny much of what they had twice clearly made oath of before, so that the jury brought in C[esnoc]k not guilty; and so he was acquitted from that indictment. And the next day, the same three rogues begged to be heard before the council, where I heard them again upon their knees, and with all the solemnities of truth and sincerity, protest and swear that what they had first sworn was simple truth, and that their carriage the day before in the court was occasioned by their being terrified to swear against C[esnoc]k, so great a man in that corner of the country. But upon the whole matter, the worthy Sir George Mackenzie had no more hand in all this affair, but meerly to pursue as the king's advocate. And in general, I can affirm, as in the sight of the God of justice and truth, I do believe, after all the enquiry I have made, that never a person suffered in Scotland by subornation

or false witnesses, employed by the government, since the restoration of the royal family, tho many of the rebels have been brought off, and assoilzied by the scandalous and barefaced perjuries of their own party; for in the tryals of those rebels, the witnesses for the king being formerly engaged in the said rebellions, made use of such strange and uncouth fetches and strains of words, that no jury could fix any verdict or doom upon; for being interrogated if they saw the person at the bar in arms with the rebels (as particularly in the case of one Sprewel, an eminent ring-leader and captain, several of their own kinsmen as well as acquaintances, and who had ridden under his command), they were brought with great difficulty to confess that they thought they had seen a man there which seemed to be somewhat like the prisoner at the bar, but for a world they could not swear that this prisoner was the person they saw there. Being ask'd if he had a sword, they answered they saw that person have something like the end of a scabbard hanging from under his cloak, but whether there were a blade there or not, they could not tell; and being question'd on oath all the while if that person had pistols, they confessed they had seen something like hulster-cases at his saddle, but whether there were pistols in them or not, they could not swear for a world. And by such Presbyterian canting perjuries as these, this Sprewel, and many others, were brought off.

"Dear Sir,

"I am afraid I have been too tedious in this return; but since it contains nothing but simple truth, it will be the welcomer to you, and therefore is subscribed by

"Your humble and faithfull servant,

"W. P."

Ridpath's own account of his conduct is as follows:*—"To set this whole matter in its true light, take this short but true narrative of it. Mr Ridpath having, upon reading the account of the Pope burning at London, moved it first himself to some of his fellow students; the design was so laid afterwards that it could not well, nor did not miscarry; though the two Mr Greys, Mr Guthry, Mr Ridpath, and others, were taken up the night before the burning of the Pope, on design to prevent it; and after the business was done, examined by Sir George Mackenzie, the King's advocate: but Mr Ridpath being sufficiently possessed with the apprehensions of the then raging tyranny, he refus'd to answer, though threatned with torture, till he was perswaded thereunto by his Regent, Mr Massey, who told him, in a very

* Scots Episcopal Innocence, p. 53.

friendly manner by himself, that my Lord Advocate only desir'd to know whether any other than the students were concerned in the contrivance; for, if it happened to be so, that it was only a project of their own, the Council would pass it over as a puerile business; whereupon Mr Ridpath confessed that he drew the bond, and, after several questions upon that head, was discharged, which was a very unpardonable blunder in that great lawyer, if the matter had *imported high treason*, as Sir William alleges. But that this was so, is matter of fact, Mr Ridpath appeals to Mr Massey, who is still a Regent at Edinburgh; and though no knight, yet a person of better reputation than ever Sir William was. But though Mr Ridpath was set thus at liberty, a storm immediately succeeded the calm; some malicious persons having spread it about that the students had threatned to burn the Provost's house, which stood about a mile from the town, if he would not relieve their comrades from prison; the house was in a few days after burnt by some Papists, as was suppos'd, to bring an odium upon the Colledg; but the students were all of them at liberty before, so that they had no further ground of quarrel; and a barrel of powder with the King's ammunition mark, which the students could never have come by, was also found near the place. However, the Council issued a proclamation, charging it upon the students, and summoning the Regents to appear with such and such of their scholars to answer it; and Mr Ridpath, being one of those named, his friends advised him to withdraw, because they knew his danger, both as a Presbyterian and framer of the bond, but especially, because there was no due legal course observed in those days. Yet he was so concern'd for his reputation, and that of the University which he had engaged in the affair of the Pope-burning, that he would not abscond, but appear'd on the day of summons; and, being examin'd on the head of the bond for burning the Pope, refus'd to answer at first, because he was summoned for his alleged accession to the burning of Priest-field. But the Council declining that, and insisting upon the other, and Mr Ridpath knowing that he had confessed to Sir George Mackenzie, as above, that he had writ the bond, did again own it before the Council. And, after many other questions, wherein the Bishops were severest upon him, the Duke of Rothes was very favourable to him, upon notice of his relation to Mr Thomas Ridpath of Fulfordlees. But, Mr Ridpath being ordered to withdraw to a corner of the room, while the Council advis'd what to do, Sir W. Paterson, then clerk to the Council, came to Mr Ridpath, and pretending a deal of friendship, ask'd him 'If he went to church?' which Mr Ridpath refusing to answer, this generous knight went immediately to the Council-board, and mov'd them to ask the question, which heightened their resentments, but especially that of the bishops, against him. Mr Ridpath was hereupon ordered to prison; and, as the macer was carrying him out at the Council Chamber door, Mr Ridpath, perceiving that there was abundance of spectators, and remembring

that the whole Colledg was falsly charged with the burning of Sir James Dick's house, then Lord Provost, for suffering them to be so much abused, he thought it requisite, seeing he was the only student committed, to tell the spectators in his own vindication, that it 'was only for burning the Pope.' Sir W. Paterson, who represents these words falsely, being behind Mr Ridpath when he said so, pull'd him back by the hair, and revil'd him before the Council in much the same language that he uses now in his letter. And the Duke of Rothes, the President, sign'd an order for Mr Ridpath's close confinement without pen, ink, or paper, or any friends having liberty to come and see him, without his order. And thus, Doctor,* you have an account how your evidence, Sir W. Paterson, acted both the part of an informer and hangman against Mr Ridpath, and therefore it's no wonder that he should villify one whom he had so much abus'd.

" Mr Ridpath being confin'd as above, was kept close prisoner for five weeks, and removed from room to room to prevent his escape or rescue, without any friends having liberty to speak with him but in presence of the keeper, who, from time to time, brought him word that he was to be tortured, as indeed the Council had threatened him, or some such dismal message; and at the same time, the university was broke up, the students banish'd the city, and an extraordinary guard set upon the prison; but that ever Mr Ridpath was laid in irons, as Sir William says, is false, though he did very much wonder at the providence of his escaping the boot, or a second examination. However, two other snares were laid for him at the same time: the first was, by putting in one John Murray into the same room with him, who was condemned for an opinion which some of those poor oppressed people called Cameronians began then to broach, that Charles II. ought not to be own'd as king, because he had broken the Covenant on which he took the crown, and that a small number of about 20 or 30 men had declar'd his forfeiture at Sanquhair. This man being much superior to Mr Ridpath in years, and very zealous for his opinion, they thought he would infect Mr Ridpath with it, and so they might hang him by clear law: but a worthy minister, supposed to be the reverend and learned Mr Jamison, having found means to convey notice of the design to Mr Ridpath, it was not only frustrated, but Mr Ridpath proved an instrument to save his fellow-prisoner, by convincing him of the unreasonableness of his principles, and perswading him to petition the Council, which, with the intercession of his friends, procur'd his pardon, though he was just ready to have been led to execution.

" Mr Ridpath having been five weeks in close prison, was, upon his petition, allowed the liberty of the house; and, a little after, the Council passed a sentence of banishment upon him, without calling for him to shew a reason why: and at the same time they laid a second snare for him, by ordring him to sign a bond,

* Monroe. See page 369.

obliging himself to depart the kingdom in ten days, and never to return without their license, on pain of being holden *pro confesso*, as guilty of the burning of Priestfield abovementioned, and punish'd accordingly. But Mr Ridpath did utterly reject it, because he perceived the design, though they thought, that being a young man, and uneasy under confinement, it wou'd have gone down glibb, and then they would have had occasion of calumny at least, not only against him, but the whole colledg, though they never examined him upon that head when he was before them. Mr Ridpath petitioning the Duke upon this unreasonable bond, and desiring only that the penalty might be altered, it was granted; and Mr Ridpath was ordered to give bond, and a bondsman for 2000 mark forfeiture, if he did not depart the kingdom in 10 days, and never return without their licence; which was accordingly done, *March* 10, 1681.

" This is a true narrative of that affair. And now, Doctor, Mr Ridpath is not afraid to leave it to any Protestant to judg, whether his part in it, or that of your Prelatical Council, and particularly the gallant knight, Sir W. Paterson, was most honourable; especially if Mr Ridpath's years, and other circumstances, be duly considered. For however your scurrilous evidence, Sir William, represents him, he had never then been under the razor; though the valourous knight may be very well satisfied, that it was not from any defect of his constitution, if he remembers the full handfull, which, hangman-like, he took of his hair to pull him in again before the council.

" And to let your Doctorship see further, what honest evidence you have to support your cause, here's an attested copy of the bond, which Sir William gives a false account of.

" ' We, whose names are here underwritten, in order to the prosecuting of our design to burn the Pope in *effigie;* (1.) Do faithfully promise mutual assistance and concurrence; but to prevent scruples which may arise hereanent, we declare that it is not out of contempt of lawful authority, or to bring any person or persons into a præmunire, but out of a pure hatred against that Man of Sin, and eldest child of the devil. (2.) For the encouragement of each concern'd in this affair, we faithfully promise secrecy, lest any should incur hazard, either by contriving or carrying it on. (3.) We promise to defend one another against the opposers, but yet we look for none. (4.) That we shall not suffer one another to be extruded the colledg, or imprisoned upon that account. (5.) That in a special manner we shall keep secret the names of the principal actors. To the observing of which articles, we, every one of us for ourselves, oblige, upon the word of a gentleman, and promise of a Christian; and in case of failzie, the devulgers or breakers, besides the incurring the hatred of the observers, shall forfeit thirty shillings Scots.

" ' THE ATTESTATION.

" ' That this above-written is the true copy of the bond contracted amongst the students of philosophy in the college of Edinburgh, called by the council the *Bond of Combination;* whereupon they found their warrant for what they have done against the whole students in general, and for sentencing to banishment our fellow-student, after nine weeks' imprisonment, in particular: We do by our subscription testify.

" ' *William Gordon*, eldest son to my Lord Viscount of *Kenmure*.
" ' *John Drummond*, son to Alderman or *Bailzie Drummond*, of *Edinburgh*.
" ' *William Gordon*, second son to the Laird of *Earlston*, and now a captain in the Earl of *Leven's* regiment.
" ' *John Drummond*, a *Perthshire gentleman*.
" ' *Da. Arnot*, son to a worthy minister.
" ' *Thomas Wake*, a *Northumberland* minister.
" ' *Jo. Guthrie*, lately major in my Lord Cardrosse's regiment.' "

As Ridpath's account of the proceedings against the Campbells of Cessnock, referred to in Sir William Paterson's letter, is extremely curious, even at the risk of being thought tedious, we shall here insert it:—

" INSTANCES *on record of the notorious Cruelty and Injustice used in the time of the late Prelatical Administrations, in the Courts of Judicature, against the Presbyterians, in the persons of Sir Hugh and Sir Geo. Campbel, and the Laird of Blackwood.*

" As for the morality and vertue of the surviving grand Patron of the faction, and their lately deceased invincible champion, Sir George Mackenzy, this following instance will set it in its true light. Q[ueensber]ry, though Douglas by surname, yet envying the Marquiss of Douglas, the chief of the family, whom he hath a pique against, for refusing to take the cross-bar out of his arms, designed to revenge himself on his chief chamberlain, or steward, the Laird of Blackwood, a pious and worthy gentleman, by whose care the marquiss's estate is frugally managed, and that illustrious family chiefly enabled to maintain itself in what remains of its ancient splendor. Q[ueensber]ry and Sir George, not knowing which way to reach this gentleman,

did on purpose procure an act to make converse with such as they were pleased to call Rebels, or converse with any that had converse with them, High Treason. The marquiss having good part of his estate about Douglas in the west, where a great many of his tenants were concerned in the insurrection at Bothwell-Bridge; they thought that Blackwood must unavoidably converse with some of them upon the marquiss's account, and so of necessity be catch'd; hereupon they indicted him, and found it a hard matter, however, to prove any such thing upon him. But getting notice that there was one Mr Wilson, an inhabitant of Douglas, a man of considerable dealing with many of the noblemen's chamberlains of the west, that had also dealt with Blackwood; and the said Wilson was reputed a grand rebel, because one of those who had been forc'd to take arms by the tyranny of the then government. They set a great many of their implements at work to take him, which was no hard matter to effect, because he frequented most markets in that part of the country, and was often at Edinburgh; so having taken him, they brought him to Sir George Mackenzy, who threatned him terribly, and accused him with abundance of rebellious practices, which had rendred him obnoxious to the law, and liable to death; and having, as he thought, allarm'd him sufficiently, then he began to flatter him, that he should not only have a remission, but also a reward, if he would give evidence that he had conversed with Blackwood, whom they had then in custody, and under process, which he altogether refused. However, intercession being made to Sir George on Mr Wilson's account, and some undertaking to persuade him to a compliance, he admitted him to bail, to appear such a certain day. Q[ueensber]ry having notice that Sir George had let Mr Wilson go, was so enraged at the disappointment of swallowing Blackwood's estate, that being then in great power, he swore that, if Sir George did not get Wilson again, to hang Blackwood, he should hang for him, because he himself had conversed with Wilson a rebel and let him go. Sir George being thus circumstanced, sent in quest of Mr Wilson before his day, but he could not be found. However, they proceed to trial, and, which was easy for them to effectuate, who were so dexterous at suborning of witnesses, and packing juries, got Blackwood condemned, which his advocates (or counsel), particularly Sir George Lockhart, were so angry at, that they offered publicly in court to prove Sir George to be as guilty as he, viz., in conversing with Mr Wilson, who not being able to deny, tho' fain he would, he confessed it, and told them that he would go to his majesty and get a remission: Whereupon, all cry'd out, Shame upon him! to prosecute a gentleman to death, for that whereof he was guilty himself. And Blackwood's counsel insisted that he ought to have the benefit of a remission also. Notwithstanding Q[ueensber]ry and Sir George hurried on toward execution, nor could they allow the gentleman time to prepare for eternity, but call'd for his accounts of the

marquiss's estate, which the noblemen and others appointed to take, finding so just, and seeing the gentleman so grave and composed, they became intercessors for a remission, which was obtain'd, and the greed and malice of his enemies frustrated. However, we see by this instance the vertue, religion, and morality of the grand pillars of our Scots Prelacy, which our pamphleteers do so much boast of. But this following instance will yet add a new varnish to their illustrious and refulgent vertues.

"The barbarous Prelatical persecution, together with that unheard of way of proceeding against Blackwood, having alarm'd Sir Hugh and Sir George Campbel of Cesnock, with other gentlemen, who were Presbyterians, or favourers of them, although they knew themselves innocent, yet thinking it not safe to stay in the kingdom, where Sir George Mackenzie could stretch the law, and make it reach the life and estate of whomsoever he would, they came for London, with a design to represent their grievances to King Charles the Second: But that same hand which persecuted the Presbyterians in Scotland, falling upon the Dissenters and Moderate Churchmen in England, those gentlemen happened to come hither when the Earl of Essex, my Lord Russel, &c. were committed on pretence of a plot; and Scotsmen, because oppressed, being generally look'd upon as dissatisfied, the said Hugh and Sir George Campbel were illegally taken up without a warrant; and having been divers times examined by the king and council, there could not the least ground of suspicion be found against them, saving what Atterbury the messenger did falsly swear: And being made sensible of his perjury by the said gentlemen, he told them that his oath could not harm them. Which my Lord Melford and Sir George Mackenzie being aware of, they went to the Duke of York. And my Lord having a prospect of the gentlemen's estates, they dealt with the duke to procure a warrant from the King to send them for Scotland, where they would do their business. This was quickly granted; and then Sir George set about suborning of witnesses against them; and the evidence was managed and instructed by Sir William Wallace of Craigy, chamberlain (or steward) to the said Sir William, and Hugh Wallace of Ingilston. The evidence being prepared, Sir Hugh Campbel was brought upon his trial, before the Earl of Perth, then Lord Justice General (or Lord Chief Justice) of Scotland, who was very eager in the prosecution; and, having pick'd a jury for the purpose, they proceeded to call the evidence, viz. Thomas Ingram, tenant to Hugh Wallace of Borland, cousin to Sir William Wallace the suborner; Daniel Crawford, and one Ferguson. The Earl of Perth having, according to form, administered the oath to the witnesses, which is always done with much solemnity and gravity in Scotland, their consciences began to rebound, and, upon examination, they solemnly declared that they knew nothing against Sir

Hugh Campbell; which struck Sir George Mackenzie and the court with confusion, and all the spectators shouted for joy, crying out that "it was the hand of God!" Whereat Sir George Mackenzie, being enraged, bellow'd out that he "never heard of such a Protestant roar, but at the trial of the rebel Shaftsbury." However, the jury being shut up, return'd in a little time, and brought the prisoner in "Not Guilty!" His council pleaded, that according to law he might be discharged at the bar, which my Lord Chief Justice and Sir George Mackenzie refused, the latter being the King's Advocate, or Attorney General, and alleging that he should find both Sir Hugh the father, and Sir George the son, guilty of high treason in England. Whereupon Sir Hugh was remanded to prison, and an indictment exhibited against both father and son to appear before the parliament, wherein the Duke of Queensbury was to be commissioner, who was as zealous for pursuing the prisoners as any. The next thing the prosecutors took in hand, was to bring down some of the English evidence, who pretended to discover the plot at London; and, accordingly, they were sent down in one of the King's yachts, and by the artifice of the prosecutors, brought into the company of the prisoners, who never knew them nor their design. The evidence being examined before the Secret Council, and not being able to say anything against the two gentlemen, they were sent for London again in the yacht. After this the Duke of Queensbury, Earl of Perth, Sir George Mackenzie, and others of the faction, tampered with the prisoners own counsel, to advise them to cast themselves upon the king's mercy, using for argument that "the parliament would condemn them, though innocent," and that they knew there was no appeal from this sentence; and, therefore, if they would cast themselves upon the king's mercy, they would be sure to procure a remission, and a good part of their estate. But Sir George Campbel absolutely refused to cast himself on the mercy of either king or parliament, because he knew it was sought for only to be an evidence of a plot, whereof they were altogether innocent. After which they separated Sir George from his father, and shut him up without pen, ink, or paper, and so kept him in close prison for ten days. But finding they could not prevail, they dealt with his father to perswade him, and so returned him again to his father's room; where being continually dealt with by persons of quality who were loth to see the family ruin'd, and did urge that he would certainly bring his father and himself both to the block; he answer'd that he was willing to sacrifice his own life, so his father might be preserv'd. And finding that that could not be done without casting himself upon the king's mercy, he was prevail'd with to do it. And though their lives were saved, yet most, if not all their estates were seised.

"I cannot omit one particular more, viz. that the said Sir George Mackenzie having a mind to ingratiate himself with the said gentlemen since the Revolution, he

did seriously tell him that he swore the evidence three times (on his knees) in his chamber, that they should swear what they were taught against his father; and hop'd God would forgive him.

"Now, I appeal to the reader, whether ever a piece of blacker injustice was transacted, for the kind, on this side hell; and whether our Prelatical adversaries have reason to boast of those men's vertue, worth, and piety, who were principally concerned. And whether any credit can be deservedly given to Sir George Mackenzie's relation of matters of fact, from which he deduces arguments to justify the severity of the late reigns against us, wherein he himself was the prosecutor, and so deeply engaged, as appears by his own confession."

For the next ten years no traces of Mr Ridpath have been found. He appears to have been in London a year or two after the Revolution, and to have derived a subsistence from writing news, having been unable to obtain any other employment. Indeed, the following passage, from the Scots Episcopal Innocence, is conclusive upon the point:—

"Nor is Mr Ridpath asham'd to own that it's part of his business to write news, and give as true an account of occurrences as he can; for which he knows your party bears him a grudg, because he hath often obviated the malicious reflections, and seditious news of your newsmonger-general against the present government. And seeing the state don't think it below them to countenance the printing of news twice a week by their authority, and that Mr Ridpath's intelligence is often confirm'd *verbatim* by the Gazette, he does not see where the huge strength of this reflection of his being a newsmonger lies, any further than it denotes the meanness of his circumstances; but I think that a generous man would remember the axiom, "Nemini miseria sua objiciatur." Mr Ridpath, it's probable, would not have done that if he had had a better employment, but thinks it much more creditable to write news, by which he may not only be kept from begging, as some of your doctorship's brother-curats do, because of their idleness, but is able to imploy and maintain three or four, who think themselves nothing inferiour to your doctorship's journeymen, and would scorn to beg about, or defame their native country, and their majesties government, with lies, as you and they do with blasphemous pamphlets, defamatory libels, &c."*

The paper to which Ridpath principally contributed was the Flying Post, with which his connection for many years continued. From an incidental notice preserved in a letter from Mr David Blair, one of the ministers of Edinburgh, and chaplain to the king, to Principal Carstairs, Ridpath appears to have been always on the outlook

* Page 67.

for the earliest information on political matters, for the reverend gentleman remarks, the "address you would see was succinct, and of a plain style. As for that other you mention, it might serve to divert his majestie if he should please to cast his eye upon it, after some long audience about a weighty affair. But, if George Ridpath should chance to get copies of both, he would readily print them in his Flying Post."*

Ridpath's labours were not destined to be exclusively devoted to newspaper-paragraphs; for, in the year 1692, a work appeared, which naturally created a great sensation, especially in Scotland. After the Revolution the Presbyterians obtained the upper hand, and, as usually happens, the successful party was not inclined to be tolerant to its opponents, and, in some instances, it can hardly be disguised, that several of those who adhered to Episcopacy were somewhat rigorously dealt with. Among other individuals who had smarted for their religious opinions were Dr Monroe, Principal of the University of Edinburgh, Dr John Strachan, Professor of Divinity, and Mr Massie, Regent in the College of Edinburgh, all of whom had been deprived of their respective situations.† Incensed by the treatment they had received, it was rumoured that, in conjunction with the Reverend Mr Canaries, and, as some assert, Mr Robert Calder, or Caddell, who was celebrated for his satirical powers, they resolved to act upon the offensive, by producing a work, the object of which was, to hold up the Presbyterian divines to the ridicule of the world. Whether there was any real foundation for this alleged combination cannot be satisfactorily ascertained; but it is sufficient to say, that Ridpath, and the other Presbyterian writers, firmly believed that at least some of the before named persons were the veritable authors of "The Scotch Presbyterian Eloquence; or, The Foolishness of their Teaching discovered from their books, sermons, and prayers; and some Remarks on Mr Rule's late Vindication of the Kirk Session. Printed for Randal Taylor, near Stationers' Hall, 1692." 4to.

This celebrated work, of which a second edition, with additions, appeared the ensuing year, and has since been frequently reprinted, was calculated, if not contradicted, to inflict a serious injury on Presbytery. Ridpath was thereupon selected

* Letter dated "Edin. Dec. 18, 1697." Carstairs' State Papers, p. 364. Edin. 1774. 4to.

† See "Presbyterian Inquisition, as it was lately practised against the Professors of the Colledge of Edinburgh, August and September 1690. In which the spirit of Presbytery, and their present method of procedure, is plainly discovered, matter of fact by undeniable instances cleared, and libels against particular persons discussed. 'For the mouth of the wicked, and the mouth of the deceitful, are opened against me with a lying tongue: They compassed me about also with words of hatred, and fought against me without a cause.' *Psalms*, cix. *v.* 23. Licenced, Nov. 12, 1691. London, printed for J. Hindmarsh, at the Golden Ball in Cornhill, 1691. 4to."

as the party best qualified to answer it. The task thus devolved upon him was difficult, inasmuch as many passages of the offensive book were merely extracts from the printed works of Presbyterian writers, the authorship of which could not be denied. But, on the other hand, the greater portion of the volume consisted of specimens of the style of oratory of many of the clergymen then living, intermixed with various ridiculous anecdotes of their life and conduct. Ridpath, therefore, thought it best, after denying generally the statements founded on oral testimony, to resort to the plea of recrimination; and he set about, with great goodwill, to rake up all the scandal that could be collected against the unfortunate Episcopalians; in which attempt he was so far successful, that, if the third part of what he states is true, his opponents acted very rashly in provoking him to the combat. In 1693 appeared his "Answer to the Scotch Presbyterian Eloquence, in Three Parts. I. Being a Catalogue of the Cruel and Bloody Laws made by the Scots Prelatists against the Presbyterians; with instances of their numerous murders, and other barbarities, beyond the extent of those laws; with Reflexions throughout, *demonstrating the lenity of the Majesties Government* against the Scots Prelatists and Clergy. II. Laying open the self-contradictions, impudent lies, horrible blasphemies, and disloyalty of the obscene scurrilous pamphlet, called Scots Presbyterian Eloquence. III. Being a collection of their ridiculous expressions in sermons, and instances of the vitious lives of their Bishops and Clergy. London, printed for Tho. Anderson, near Charing Cross, 1693." This was followed by "A Continuation of the Answer to the Scots Presbyterian Eloquence, dedicated to the Parliament of Scotland. Being a Vindication of the Acts of that August Assembly from the Clamours and Aspersions of the Scots Prelatical Clergy, in their Libels printed in England; with a Confutation of Dr M[onroe]'s Postscript in answer to the former, proving that it's not the Church of England's interest to countenance the Scots Outed Clergy. As also, Reflections on Sir George Mackenzy's Defence of Charles the Second's Government in Scotland; and instances on record of Sir George's Subornation against Sir Hugh and Sir George Campbel, and the Laird of Blackwood, Presbyterian Gentlemen. Together with the Acts of the Scots General Assembly and present Parliament, compared with the Acts of Parliament in the two last reigns against the Presbyterians. By Will. Laick. London, printed in the year 1693." 4to.

If Ridpath supposed that his two pamphlets would silence his opponents he was very much mistaken; for they lost no time in producing a rejoinder, in the shape of a tract, entitled, "The Spirit of Calumny and Slander Examined, Chastised, and Exposed,"* written with much more temper and calmness than was to have

* See p. 356.

been expected. Ridpath, however, returned to the charge, and gave to the world his "Scots Episcopal Innocence," which is principally valuable as containing some information, the material parts of which we have already extracted, relative to the life of its author.

Shortly after this, Ridpath took up his pen in defence of Sir Humphrey Edwin, Lord Mayor of London, a Presbyterian, who had given great offence by going in his robes to a conventicle, with the ensigns of office carried before him. This piece of indiscretion has been alluded to by Swift, in his Tale of a Tub, in which he notices "how Jack's tatters came into fashion in court and city; how he got upon a great horse, and eat custard; but the particulars of all these, with several others, which have now slid out of my memory, are lost beyond all hopes of recovery."* Ridpath's Tract is entitled, "A Dialogue betwixt Jack and Will concerning the Lord Mayor's going to Meeting-houses with the Sword carried before him, &c. London, printed in the year 1697." Reprinted, 1702. 4to.

It was not to be supposed, in a matter which excited so much interest as the disputes relative to the Scots settlement at Darien, that Ridpath would be silent. He printed in 8vo, in 1700, "Scotland's Grievances relating to Darien, humbly offered to the Consideration of the Parliament;"—pp. 58, with page of errata, which are thus excused: "Our nation being so unhappy that those who write or act against it are rewarded and caressed, whereas those that write or act for it must do it at their peril: it is not to be wondered at, that many faults should escapet he press in those few sheets, when all must be done in hurry and fear."†

The following year produced "The Great Reasons and Interests Considered anent the Spanish Monarchy.

"I. What interest the French has to assist the Duke d'Anjou in respect to the Spanish Monarchy?

"II. What is the English measure ought to be taken?

"III. What the Scots ought to do in the present juncture?"—pp. 40. 12mo.

* Swift's Works. Sir W. Scott's Edition. Vol. xi. p. 193. Edin. 8vo. 1814.

† The settlement in Darien was very popular in Scotland, and the evident reluctance of the King and the English government to give it any support, displeased many of his Majesty's warmest supporters. An amusing instance of the feeling of the populace against the King, in Edinburgh, is mentioned in a letter from the Earl of Melville to Principal Carstairs, dated at Edinburgh, 27th June 1700, in which his Lordship mentions that there had been a tumult in the city, in the course of which the mob had given pretty strong indications of their opinions. "Amongst the rest of the insolencies committed at the rabble, the bells were ordered to play, and the first tune was that called *Willful Willy, wilt thow be willful still?*"

This Tract is assigned to Ridpath on the authority of Wodrow, who has inserted his name as the author on the copy formerly in his possession, now in the Advocates' Library. In 1702, in conjunction with Mr Secretary Johnston, he brought out "A Discourse upon the Union of England and Scotland, containing a brief account of the kind proposals made to the Scots by the English, in the Reign of Henry the Eighth and Edward VI., &c., humbly submitted to the Parliament of Scotland, by a Lover of his Country." Pp. 194. 8vo.

Among those whom a similarity of political sentiment, and conformity of religious opinion, had introduced to the acquaintance of Ridpath, was James Anderson, a writer to the signet, and the compiler of the most magnificent work that has ever appeared in Scotland, which having been left unfinished at the time of Anderson's demise, was afterwards published, with a valuable introduction, by the learned Mr Thomas Ruddiman. The Editor alludes to the magnificent Diplomata Scotiæ. Anderson had been engaged in collecting materials for an answer to Attwood's "Superiority and direct Dominion of the Imperial Crown of England over the Crown and Kingdom of Scotland,"* and had applied to Ridpath for his advice and assistance on the subject. In answer Ridpath wrote as follows:—

Dear Sir,

I must beg your pardon for not answering yours sooner. I am as you left me full of avocations, and have been indisposed both in mind and body, by some late occurrences. I am glad to hear of your designe, and wish you may be speedy and successfull. Mr Atwood is at work again upon the subject, and is very angry with any of his moderate acquaintance that don't go his length. I have been making some observations since you saw me, but don't yet think to do any thing by itself. What I have to say, I designe to adde as an appendix to my Historicall Collection. Mr Tyrrell, Mr Dale, and others, have no opinion of Sir R. Sibbald's performance. I hope Sir J[ames] D[alrymple] will be better; but rely most upon yourself, and doubt not but what you write will be strong and cogent. I shew'd your letter to our friend, who will be ready to do you any favour in his power, but times are unsettled. I shall be willing to contribute any thing that my small capacity will enable me, but wish you would hasten to the presse. I shall be glad, however, of any specimen, and will return it to you speedily. You may venture to direct it under cover to Mr Wedderburn, by the black box, and I will return it that same way to any friend you shall direct; but I would wish there were no such delay as that must

* Lond. 1704. 8vo.

occasion. You are master of the subject, and the advice of your friends there will be sufficient.

I am, Sir, your very humble and much obedient servant,

GEO. RIDPATH.

Please send word when Sir J[ames] D[alrymple's] book will be out.

[London], January 4, 1704–5. (Postage, 5d.)

Anderson's "Historical Essay, shewing that the Crown and Kingdom of Scotland is imperial and independent,"* appeared in 1705, and was favourably received. Its principal value now consists in the charters and other documents contained in the Appendix.

In 1705, Ridpath's correspondence with the Rev. Robert Wodrow commenced in the following manner:—The former had been acquainted with Alexander Wodrow, Robert's brother, and had written to him from London, relative to the projected Union of the two Kingdoms. Not hearing from him, he transmitted a second epistle, when an answer from Robert Wodrow to the first letter conveyed the melancholy intelligence of his brother's unexpected demise. Wodrow, at the same time, solicited a continuance of the correspondence, a proposition to which Ridpath assented, and the letters that passed between these parties, now printed, are all that have been recovered.† The first portion was written in the year 1706, and relates chiefly to the Union. The second portion, which commences in 1717, and ends in 1719, relates principally to Wodrow's proposed Church History, an intention on the part of Ridpath of continuing Buchanan's, and contains an account of the MSS. either in possession of Wodrow, or to which he had access. The more early letters are important, not only from the minute information they convey, but from their expressing the sentiments of that party with which Ridpath was identified, as to the results likely to arise from the Union of the two crowns. In particular, they shew the alarm entertained by the Presbyterians for the Church of Scotland. Imaginary as these apprehensions were, it is not surprising that they should have been entertained; for, besides the unpalateable but natural feeling incident to most Scotchmen, that the existence of their native country, as an independent kingdom, was about to terminate, there was superadded, the strong suspicion that their form of worship might not be respected in a parliament of which the Scotch representatives formed so small a proportion, and that as Episcopacy was the established

* Edin. 8vo. 1705.

† Wodrow kept copies of his letters, which were contained in four small volumes. The second, third, and fourth, are in the Advocates' Library, and the first, which must have contained the letters written in 1705 and 1706, cannot now be found.

Church in England, it might again be in the ascendant in Scotland. These objections to the Union, which were common to Ridpath and his friends, were, however, more plausible than solid, for the English members of both Houses had too much respect for their own characters to dream of infringing the contract that they had solemnly entered into; and besides, had even government been disposed, which it certainly was not, to put down Presbytery, any indication of such an intention would have produced a general rising throughout the whole of Scotland.*

Ridpath's correspondence with Wodrow seems to have been suspended—from what cause does not appear—for eleven years. In the meantime, Ridpath continued writing articles for his newspaper. We lose sight of him for some time, but in 1711, there was published, in folio, a tract entitled, "The Scots Representations to her Majesty, against setting up the Common Prayer-Book in Scotland," which, if we may believe a MS. note on the copy belonging to the Library of the Faculty of Advocates, was written by "George Redpath, and his associates, Mr William Carstairs, mentioned in the History of the Ryehouse Plott, and Daniel De Foe, alias Faugh."†

In 1712, Ridpath got into serious difficulties, in consequence of certain articles, which were held by government to be seditious, and for which he was prosecuted. The following notices relative to this matter are taken from the Scots Courant:—

"On Thursday last [Sept. 4], Mr Hurt was taken up by one of her Majesty's messengers, and committed to Newgate, for printing and publishing, in the Flying Post, scandalous and seditious reflections on the government."‡

"Last Thursday night, Mr Hurt, printer of the Flying Post, who was committed to Newgate, Tuesday (by mistake in our last, mentioned to be Thursday), was admitted to bail before Mr Baron Lovell."§

"Sept. 9. London. Between 7 and 8 of the clock, last night, Mr George Ridpath was committed to Newgate, for being the author of several reflections on the government, publish'd in the Observator and Flying Post."‖

* A MS. note by Wodrow ascribes the following work to Ridpath, "Considerations upon the Union of the two Kingdoms, with an account of the methods taken by ancient and modern governments, to effect an union without endangering the fundamental constitutions of the united countries. Printed in the year 1706." 8vo. pp. 102.

† In the same volume is a number, 3181, of the Flying Post, on which some person has written, "By George Redpath, who, when guilty of High Treason, was to be hang'd, was pardoned by King James the VII." This probably refers to Ridpath's apprehension for burning the Pope in 1681, and his subsequent liberation, for we have been unable to find any criminal proceedings against him during the reign of James II.

‡ Sept. 8th to 10th. No. 1093.

§ Sept. 10th to 12th. No. 1094.

‖ Sept. 12th to 15th. No. 1095.

" Sept. 11. Last Tuesday night (Sept. 4), Mr George Ridpath was admitted to bail before the Lord Chief Justice Parker. His bail were Henry Gray, Esq., member of Parliament for Wendover, and Mr Steuart, merchant."*

" London, October 23. This day being the first of the term, Mr George Ridpath, Mr William Hurt, &c. appeared in the Court of Queen's Bench, and were continued on their recognizances."†

" 1713. Feb. 12. George Ridpath, author of the Flying Post, also appeared, and is to take his trial to-morrow, at Guildhall, upon two informations."‡

" London, Feb. 21, 1713. Last Thursday came on the trial of Mr Ridpath, upon an information exhibited against him by the Attorney General for writing, printing, and publishing, three libels against the government, in a printed paper called " The Flying Post, or the Postmaster;" in the first of which, bearing date July 5, 1712, are these words: Dated from Paris, June 20, N. S. " The Chevalier de St George is at Chaillot, where he is to be retired for some days, and to lay aside the title of King. 'Tis not yet said what other title he will take, but 'tis not doubted it will be that of Prince of Wales; and that all this is done in concert, because it would not be convenient for him to go to England with the title of King, but with that of the presumptive heir. He has not only put away all his Jesuits, but all his Popish domesticks, and he has a Church of England chaplain; and those who are to attend him in his journey are of that church. 'Tis not doubted but that the Prince will declare himself to be of the Church of England; 'tis not known whether he is to go from hence at first, but only that he is to set out as soon as the peace shall be declared." In the second, Sept. 4, 1712.—" If the allies don't come to a general peace within four months, a peace will be concluded betwixt France and Great Britain, exclusive of them: that the French flatter themselves that Great Britain will join with them to force the allies to a peace; and that the Pretender is to be associated within the sovereignty."

" And in the third, Sept. 30, 1712.—" In the same Medley, I desire you will be so good as to print the abjuration oath at large, for the use of the inferior clergy, who, by their common discourse, would make one believe either that they have forgotten what they have sworn, or that they value their oaths no more than their subscriptions."

" The information was open'd by the Attorney General, and seconded by the Solicitor General, the Queen's Sergeants, and the Queen's Council, setting forth,

* Sept. 15th to 17th. No. 1096.

† Oct. 27th to 29th. On the same day, Thomas Burnet, the Bishop of Sarum's son, " Mr Baker and Mr Boulter appeared at the Queen's Bench, and were continued on their recognizance." No. 1113.

‡ Feb. 16th to 18th. No. 1153.

that a negotiation of peace being on foot, the defendant (being a seditious person, and a notorious inventor and framer of libels) did, on the 5th of July, publish the libel aforesaid, in favour of the Pretender, and to stir up the people to a seditious dislike of the said negotiation. The evidence being call'd, the first depos'd, that he, working with one Hurt, a printer, saw the copy of the said Flying Post in his printing house, in order to be printed and published; and that it was written partly in Ridpath's hand, and part in the hand of one Watley, an amanuensis, or servant to Ridpath; and that one or both of them corrected that paper. A second swore, that he always fetch'd the copy of the Flying Post from Ridpath's house, and most commonly receiv'd it from his hand, and, in particular, those in the information; and that he had several times been by, when Ridpath dictated to Watley, and he wrote copy for the Flying Post and Medley. Mr Attorney General observ'd to the jury, "That the defendant had for some years past outwent all his predecessors in scandal, and that the like is not suffer'd in any nation in the world; that the word *concert* could be applicable to nothing else but concerting with the queen; and if libellers were suffer'd to dress up persons and things in seeming disguise, but in such terms as may be understood by every body but a judge and jury, we are in a sad case."

"The council for the defendant were Mr Serjeant Prat, Sir Peter King, Mr Lechmere, Mr Sir Leger, Mr Fortescue, and Mr Cowper. They alledged, that by the word "concert" was intended "with the French king," which was proved to be incoherent and impossible. Then they objected against reading the papers, which being overruled, they alledged the whole titles of the said papers were not in the information, for that it was not mentioned from what day to what day; but in that too the Lord Chief Justice was against them They also objected, "That the original not being produc'd, and proved to be examined with the copy, it did not amount to make Ridpath the author, &c., unless it had been proved to be by his order and direction, and to be a true copy of that under his own hand."

"The papers being read, the defendant's council took a great deal of pains to prove them not libellous; and Mr Lechmere was pleas'd to say, "The information was not sufficiently prov'd, unless it was prov'd by authorities under the Great Seal: that a negotiation of peace was on foot, and that there was such a person as Chevalier de St George;" which was answer'd by Sir Thomas Powis.

"The second paper was not sufficiently proved; and as to the third, a witness depos'd, that going with a messenger to search Hurt's house, he found a proof sheet of the Medley printed in that Flying Post, wherein were several marks of correction, some of which were sworn by the first witness to be Watley's hand. But the defendant's council would not have it applicable to the clergy of the Church of England only; but that was not allowed good, for tho' there were preachers, or

teachers of other congregations, yet the law knew none by the name of clergy, but those of the Church of England.

" The council for Mr Ridpath call'd witnesses to invalidate the evidence of the journeyman, who prov'd he was a man of bad reputation; and the boy that was his fellow evidence, that the said journeyman was not a person affected to the government, for that he had heard him say, " It would never be good days (or to that effect) till the Pretender was here, and that he hoped to see the mass houses as full as the churches."

" The tryal lasted about eight hours, and the defendant's council endeavour'd to prevail upon the court to leave it special, which not being comply'd with, they tendered a demurrer, but it would not be received; at length, the Lord Chief Justice having summed up the evidence, the jury brought Mr Ridpath in guilty of writing the first and third libels, and that the one meant the queen and nobody else; and the other the clergy of the Church of England; of which sentence will be given the next term."*

The grounds upon which Ridpath was convicted appear sufficiently narrow, and we doubt much if a jury now-a-days would have returned a similar verdict. Sentence was deferred. In the month of May following, Ridpath not appearing in terms of the rule obtained to that effect, his recognizances were ordered to be estreated,† and the following proclamation was issued for his apprehension:

" May 25, 1713.‡—Whereas George Ridpath, who has been convicted for writing some, and is under prosecution for writing several scandalous and seditious libels, entitled the Flying Post, or the Post Master, highly reflecting upon her Majesty and her government, has left his bail, and fled from justice: These are to give notice, that if any person will make discovery where the said George Ridpath is, so that he may be taken and brought to justice, her Majesty is graciously pleased to promise him a reward of one hundred pounds, to be paid by the most honourable the Lord High Treasurer of Great Britain.

" Bolingbroke."

This proclamation was unsuccessful; but whether Ridpath remained in London, or returned to his native country, is unknown. He was probably in hiding until

* Scots Courant, No. 1157.

† " May 2. A rule of court being made for Ridpath, author of the Flying Post, to appear yesterday, at the Court of Queen's Bench at Westminster, and he not appearing, his recognizances were ordered to be estreated."

‡ Scots Courant from May 22 to May 25. No. 1196.

the death of Queen Anne, and the accession of George I., when the return of the Whigs to power enabled him again to appear before the public.

Ridpath, after his conviction, was attacked for some observations he had made upon the address of the Highlanders to Queen Anne, which, amongst other grounds, he objected to as being signed only by ten persons, four of whom were Papists. In answer to his censure, there was printed at London, and reprinted at Edinburgh, 1713, "The Honourable Chieftains of the Highland Clans Vindicated from the False Aspersions, and Frivolous Reflections, thrown upon them by Ridpath the Scandalous and Justly-Condemned Libeller." 4to. pp. 8. It is in the form of a letter, dated April 12, 1713, and at the outset remarks, that "The author of the Flying Post fled from his own country a long time ago, to avoid punishment as an incendiary in the literal sense; and having got sanctuary and shoes in England, has been for many years exerting his talent as an incendiary, in a much higher and more dangerous manner, as one of the most desperate engineers of the general flame of the whole island; preparing and throwing his combustible stuff daily, and with such a degree of insolence and fury, in defiance of authority as well as truth, that I do not believe there can be found in any age, or history, or government, nor even in any time of anarchy itself, such an instance or example of turbulent madness, flying in the face of everything that is valuable or sacred amongst mankind; desperately tearing up the very foundations of all order and settlement; railing at all that is good, and spitting perpetual fire, without sparing his own country, which even the worst of refugees generally use to do."

In 1717, the correspondence with Wodrow was resumed, in consequence of the latter having undertaken the History of the Sufferings of the Church of Scotland, in the compilation of which, he naturally expected Ridpath could give him valuable assistance. The letters which passed between them are curious, and the advice to the reverend historian, as to the proper way in which the history was to be written, is judicious, and appears to have been taken in good part by the excellent person to whom it was given. Whether Ridpath commenced his projected continuation of the History of Scotland, from the time of Buchanan, we know not; but if he had availed himself of the original documents and papers he refers to in his letters, a work of considerable historical importance might have been produced.

In a letter from Wodrow to Dr James Frazer, dated the 26th Feb. 1722,* the former observes, "You raise my appetite by the hint of the new books and pamphlets you promise me. I have yet seen none of them. The taste our country-

* Analecta Scotica. Edin. 1834. 8vo. vol. i. p. 307.

man, Mr Ridpath, gave us of the dedication of the Independent Whigg, pleased me much, but I have not seen the book. I hear some say that he is a little severe on the clergy, but till I see otherwise, I hope it's only against some of us as go to heights." From this date to the period of his demise, Ridpath seems to have avoided his former friends as much as possible. Wodrow had requested the Rev. Andrew Grey to procure some information from him, but the reverend gentleman found this by no means an easy task. He says, " As for Mr Ridpath, it is no easie matter to have a meeting with him—he conceals the place of his abode, so that Mr Cuming, who was his minister, could not have conversation with him, tho' he was at some pains to obtain it—he is under some scandal. It is said that he has been married to two wives at the same time, which appears from the Register of the Marriages of the City of London. However, R. Wisheart was desired by the Commission to enquire of him about these manuscripts. He, with great difficulty, had a meeting with him, and has sent an account down to the Commission."*

Amongst the many speculations and projects, with which the early part of the eighteenth century teemed, was one in which Ridpath took an active part. A company had been formed, which derived its name from Harburg, a town of Hanover, on the Elbe, opposite Hamburgh, in the King's German dominions. The ostensible object of this association was for maintaining a trade between Great Britain and his Majesty's territories on the Elbe. The managers of this speculation thought proper not only to hold out to the public that it was directly sanctioned by the king, but that the royal approbation had been obtained for a lottery to be drawn at Harburg. In the public journals, this advertisement is inserted:—

" His Majesty, as Duke and Elector of Brunswick and Lunenberg, having granted to the Harburg Company (besides other considerable privileges) a Lottery to be drawn at Harburg, the Scheme of the said Lottery, approved by his Majesty, and Tickets, will be delivered by the Company's Agents, Mr Francis Heilman, Merchant, at his House in Mark Lane; Mrs Eliz. Bell, Bookseller, at the Cross-keys and Bible in Cornhill; Mrs Oakes, at her Office in Three King Court, Lombard Street; at North's Coffee-house in King Street; and at Robinson's Coffee-house in Berry Street, St James's."†

This intimation attracted the notice of Parliament; and, as the sanction of the king was positively denied, a committee was appointed to investigate the proceedings. It is certainly a singular fact, that the king's name should have been so publicly used, as the projectors must have been aware that so bold a falsehood would

* Letter, Mr Andrew Gray to the Rev. R. Wodrow, March 20, 1725.

† Daily Courant. Friday, 7th Dec. 1722. No. 6593.

not long escape detection. There is a chance that these parties were themselves deceived, and that, as was not unusual in such cases, application had been made by them to the Duchess of Kendal, or to the Countess of Walsingham, neither of whom had any objections, for a consideration, to dispense his majesty's favours; and that one or other of them had given the projectors to understand that they might look upon the thing as settled. Howsoever the fact may be, the interference of the Commons destroyed the bubble, of which, we should have previously mentioned, Ridpath was the Secretary. In Wye's letter of the 22d of December, we are told that "Yesterday the Committee for the Harburg Lottery sat, and had several persons under examination. Mr Jowles said George Ridpath had in his keeping most of the papers, minutes, and proceedings on the lottery; that 500,000 tickets were printed for raising a million and a half of money; that the said tickets were delivered to the trustees, to be disposed of as they thought fit; that he had received L.17,000 in money, and the like sum in bills, and confessed he was to have 10,000 for going to Harburg, about making a harbour there; and being asked, What security he had for the money? answered, It was by articles of agreement signed by the Company.

"He was also asked, Where and when the patent was made? answered, That it was on board a yacht just when the king was last going for Holland; that it was a blank patent when signed, and that he, with Mr Nicholas, had several 100 libs. from persons to insert their names in the said patent. Nicholas confessed he had received near L.10,000 for going several times to Hanover and Harburg on the Company's account. Mr Jowles further deponed, That Mr Billingsby, one of the managers, was to have L.30,000, the greatest part of which, he believed, he had received; and furthermore said, that the call of 2 per cent. had raised L.100,000. And being asked, What became of the money? he and some others answered, That the greatest part of it was lost in the South Sea Company."

On the 15th of January following, the Committee again met, when the members resolved to examine Ridpath on oath, "and to take with them an alderman of the city, who is a justice of peace, to swear him." On the 18th, Ridpath appeared, and was examined upon oath. In fine, a bill was brought in to suppress the lottery, and to oblige the managers to make restitution of the money they had received from the contributors. At the same time, the House resolved, that John Lord Viscount Barrington had been notoriously guilty of promoting, abetting, and carrying on the fraudulent undertaking, for which offence he should be expelled the House.

The trustees, on the 16th of February, announced* that "They have returned

* Daily Courant, No. 6653.

for, at last, four-fifths of the tickets issued, and are ready to do the same for all that remain out, for which daily attendance is given at their house, in Throgmorton Street, from 10 in the morning till 5 in the evening." This intimation was signed by George Ridpath, as secretary. And on the 19th of March, they farther give notice, " that they have received back, and paid money for all the tickets issued, except four single ones, at twelve shillings each, which were issued by Mrs Bell at the Cross-Keys and Bible, in Cornhill. These, therefore, that are possessed of the said tickets, are desired to return them to Mrs Bell, who is ready to pay the money for the same." Thus ended all Ridpath's expectations of a golden harvest, from the gullibility of his southern countrymen.

Ridpath died in the year 1727, as we learn from a letter of Lord Grange, in which he says, " I have seen Mr Johnston twice, once with many company, and the other time in great haste, so that I could not speak to him particularly enough of his father's or Redpath's papers. But I believe I am, in a few days, to be with him, at his house in the country. Redpath, as I'm informed, joined, before his death, with the Arians and Non-subscribers, and slighted those who had supported him in his distress. Besides his concern in the Harbourg Lottery, which sunk his reputation, they say he marry'd two wives. His memory is not savoury here. I'm sorry he was so vile ; for he once did good service."*

His papers, we learn, from a letter of Wodrow, fell into the hands of Dr Frazer. " It was a pleasure to me to hear that Mr Ridpath's papers fell into your hands. He wrote to me severall years since, that he had severall papers relative to the lives of our Scots ministers, particularly Mr David Hume's Diary. Anything of this nature you have, I'le be fond to have an account of."

It is believed, besides the works above enumerated, that Ridpath was the author of various other publications ;† but, from his name never appearing on the title-page, great difficulty necessarily must arise in tracing them. Indeed, had not Wodrow, with his usual minuteness, written Ridpath's name on such of those as were in his own library, many of those previously described would have escaped notice.

* London, 4th May 1727. Private Letters, now first printed from the original MSS. 1694—1732. Edinburgh, 1829. 12mo. (Unpublished.) P. 58.

† Ridpath translated from the Latin MS. of Sir Thomas Craig, " Scotland's Soveraignty asserted." London, 1695. 8vo. He is said to have been the author of " An Historical Account of the Antient Rights and Power of the Parliament of Scotland,"—1703, 8vo—which was reprinted not long since as the work of Fletcher of Saltoun. A MS. note on the title-page also represents him (with what truth we know not) as the writer of " A Rowland for an Oliver; or, A Sharp Rebuke to a Saucy Levite, in Answer to a Sermon Preached by Edward Oliver, M.A., before Sir Humphry Edwin, late Lord Mayor of London, at St Paul's Cathedral, on Sunday, October 22, 1698, by a Lover of Truth. The Second Edition. Printed in the year 1699, and sold by the Booksellers of London and Westminster." 4to, pp. 24.

CORRESPONDENCE BETWEEN GEORGE RIDPATH AND THE REV. ROBERT WODROW.

I.—MR GEORGE RIDPATH TO THE REVEREND ALEXANDER WODROW.

February 23, 1706.

Reverend Sir,

Pardon my delay of anſwering your obliging letter. You may be ſure that it did not proceed from any averſion to the correſpondence, then which nothing can be more acceptable to me, but from my perplexity by the late loſſe of my ſon, who was a great help to me in my buſineſſe, from the trouble I have had by being proſecuted for writeing againſt reduceing Scotland by arms, and from the worth of matter worth your while. As to the latter, I muſt own that I might ſtill have kept ſilence, but ſince the commiſſion for nameing perſons to treat about the union is now drawing, and by conſequence the ſcene of our affairs muſt begin to open, I thought it better to write, then to be guilty of any neglect, tho' I have little to ſay. The perſons to be named are not yet public, but the D[uke] of Q[ueenſberry] and our preſent miniſtry have the management of the matter, as far as the miniſtry here think fit, and the Marquis of Annandale is quite out, he having refuſed to be Preſident

of the council, ſince he could not be ſecretary or in ſome active poſt: for other changes among you there will be none material untill the iſſue of the treaty, or at leaſt of your next ſeſſion of parliament be knoun. I find the prevailing ſcheme is an entire union after ſome preliminarys are ſettled, ſuch as leaving the conſtitution of both churches and the courts of judicature as they are, but whether you muſt make an abſolute ſurrender of your Parliament, Privy Council, and of the Queens Houſehold, for ſuch a repreſentation as ſhall be allowed you in the parliament here, will be known when the commiſſioners meet. In the meantime, it's your concern to prepare your parliament to conſider thoſe things well, before they come to a reſolve; for now if ever that maxim is neceſſary to be obſerved, deliberandum eſt diu, quod ſtatuendum eſt. May Scotlands covenanted God direct our parliament in this weighty [affair].* The Epiſcopal party will be for an united parliament in which a[ll in good] time they hope by a majority to reimpoſe biſhops upon you, and then farewell to your religion and liberty: and how will this be avoided but by keeping your own parliament, and ſending deputies from them with inſtructions to ours, or by an expreſſe ſtipulation, that nothing agreed upon as the preliminary and foundation of an union ſhall be altered but by expreſſe conſent of the parliament of both nations fully and freely aſſembled, I know not: only my advice is, that our friends take care of this when the treaty comes in parliament, for an error in this matter will be like one in the firſt concoction, hardly if ever to be amended, and 'tis in vain for you to think to preſerve your religion if your civil liberty is furrendered. But I am ſorry to find that many who ſeem to be zealous for the one have loſt all ſenſe of the other, tho' by national oaths, as well as by the reaſon of the thing, we are equally oblidg'd to take care of both. Civil government is the ordinance of God as well as eccleſiaſtical, and therefore, in my opinion, equally a part of our religion: I don't mean as to the ſpecies, but as to the main conſtitution of it, that it be ſuch as may anſwer the end of government ſo expreſſly revealed in the Scriptures, and therefore I applaud the piety as well as wiſdom of our anceſtors, who

* Torn.

made the kings juſt right and the priviledges of parliament a part of their national oath as well as preſbytery. This ought to be conſidered before our parliament be furrendered or diminiſhed in its power. You may, and not without reaſon, think this impertinent in me to offer a phyſician to thoſe that are not ſick, I mean you and your friends in Glaſgow: but allow me to explain myſelf, I only give you the confeſſion of my own faith, in the caſe that you may ſee I have not acted without principle, in taking notice of the grievance we ſuffered even in King Williams reign, for what I have ſuffered ſo much in the good opinion of my Preſbyterian friends in Scotland, and been branded in parliament: but it's not parties or perſons, it's things that are my pole ſtar, and therefore I [cannot] nor ever will approve what I think amiſs in good kings, no [more] than in bad, nor do I think it a crime to write in vindication of [thoſe] who ſtand up for the liberties of their country, and propoſe things [which] are materially good; let their deſign in acting ſo be what it will, ſo . . . . . *

II.—THE REVEREND ROBERT WODROW TO MR GEORGE RIDPATH.

April 17, 1706.

Dear Sir,

I doubt not but it will be a ſurprize to find thir lines directed to you from a ſtranger, but the occaſion of it was much more ſurprizing to me and the reſt of your freinds here. Pleaſe to knou that my dear brother, Mr A[lexander] W[odrow], received yours of the 23 of February, and comunicated it with our freinds in the concert for correſponding with you, and noe doubt would have anſwered you, but it pleaſed the Lord, in the deepths of his providence, to lay him under ſickneſs in the cloſe of March. Phyſicians took it to be a feaver, and on the 8 current, in the

* The end torn away.

criſis and turn of the feaver, he was removed from us very ſurprizingly in a quarter of ane hours time. Dear ſir, our freiuds are faſt haſting home, and it's comfortable that within a litle we ſhall get to them, for if we beliue that Jeſus dyed and roſe again, even ſoe them alſo that ſleep in Jeſus will God bring with him. I deſire among other things to learn a leſſon of ſympathy with others under their loſſes from this alaruming diſpenſation, and as I earneſtly begg your ſympathy, ſoe I allou myſelf to ſympathize with you under your perplexing loſſe of your worthy ſon, whom I haue heard my brother ſpeak much of. I don't love to revive your ſorrou nor encreaſe my oun by inſiſting any further on thir heads. The Lord help to preſent deuty and work. I judged it my deuty to acquaint you with this ſad reaſon of our ſilence in Glaſgou. I would have done it ſooner, but the perplexing thoughts and multitude of other neceſſary buſſineſs that fall in on the back of ſuch occaſions, hindered me. I moſt oun my unfitneſs to keep up the correſpondence you wer pleaſed to enter into with my dear brother, yet our freinds here haue laid it on me to begine it again, and to reneu their deſires to you to have it keept up: it's pity a publick ſpirit is ſoe far decayed, and you knou ſoe litle of our affaires, and we are ſuch ſtrangers to matters with you. Things have been otherwiſe in our beſt times, and there are ſevrall here that would gladly doe all they can to revive the old ſpirit, and you may aſſure yourſelf of all the accompts we can giue you from this part of the country, and all the encouragment that you ſhall judge reaſonable. The ſcene of affaires, I ſuppoſe, will be much opned befor this reach you, and the deſings of both partys will begin to appear. I aſſure you we are mightily concerned to knou hou things are going at this criticall juncture, when our all is at the ſtake, and we hope as frequently as poſible (if it may be evry poſt) we have your accoumpts of matters. It's greivouſe to us that ſome of the beſt principled of our commiſſioners haue not come up, and that there are ſoe feu of theſe that are come to you, ſoe throuly acquaint with our conſtitution, liberty, and trade: ane incorporating union is what we deprecate: ane intire union (if by it we loſſe our parliament, privy council, &c.) is what we cannot goe into, for we ſee litle ſecurity from preliminary ſtipulations, if ſoe be, once we become imbodyed with E[ngland]

we may, *viis et modis*, be ſoe weakened and diſpirited, and afterwards hectored and coued, to altering the preliminarys. I wiſh our commiſſioners doe nothing that may lay a yoak upon this poor land, and be a ſtep to arbitrary pouer to mount the ſadle again, and I pray God may ſuffer them to doe nothing that may afterwards bind up our hands from aſſerting our religiouſs and civil liberty, and menteaning a work of Reformation. I am intirely of your mind as to the abſolute need of this juncture of carying on our civil liberty with our religion, and I have of a long time judged it a work ufefull and worthy of you or ſome of your freinds to make it out, that in all the alterations, ups and douns, in Scotland, our religiouſſe property was neuer levelled at, but civil right wer ouerturned, and civil rights wer neuer remoued, but religion ſuffered. I ſee ſev'rall hints at this in ſev'rall papers you are given as the author of, but I heartily wiſh it wer done by itſ[elf] alone at ſome lenth. I am heartily ſorry you haue ſuffered ſoe much on this accompt: certainly your rule is ſafe in the generall, to judge by things and not perſons or party, but it was judged by ſome you had not a full information of things, but I am much a ſtranger to this head, and ſoe ſay noe more of it. Mr Jameſon remembers you moſt kindly, and is ſorry for the trouble you haue come to on his accompt. Mr Spreul, I believe, has ſent you his thoughts on our trade.* We haue nothing in the library that I knou of (and I kept it 5 or 6 years) on the union, except Craige, which you have. I have ſevrall MSS. anent our hiſtory, civil and eccleſiaſtical, which ſhall be the ſubject of another letter, if the Lord will. This country is in a ſad flame (the ſouth eſpecially) with Mr Hepburn, and on Farquhair that has joined him, and the north by the increaſe of popery, and prevalency of the old malignant ſpirit. But I belive your freinds at Edinburgh are better in caſe to inform you of theſe things then I, and if they ſhould fail, you may have what informations this place affords.

The Reverend Mr Fleeming honnoured me with ſome letters a year or two agoe about ane unhappy buſſines, which I hope is nou ended;

* "An Accompt Current betwixt Scotland and England balanced: together with an Eſſay of a Scheme of the Product of Scotland." By John Spreul. Edin. 1705. 4to.

pray give my moſt humble reſpects to him. I have ſeu other acquaintainces at London I mind, unleſs it be Mr Walter Steuart, merchant, and Mr And. Bell, to whom I give my kindeſt ſervice. Your advice about altering the addreſſe is highly reaſonable, and ſoe you may direct to Mr Rob^{t}. Wodrow, miniſter of the goſpell at Eaſtwood: to my brother as before for ſome time, and it will ſtill come to me: to Mr Robert Jameſon, to the care of James Lindſay at the Coffe-houſe; and all you write ſtill direct them to the care of James Lindſay at the Coffe-houſe, Glaſgou, and they will come ſafely to, dear ſir,

Your moſt humble ſervant,

R. Wodrow.

Glaſgow, Aprile 17, 1706.

We are very earneſt during the treaty for union you write as frequently as may be.

Mr George Ridpath.

III.—MR GEORGE RIDPATH TO THE REVEREND ALEXANDER WODROW.
April 19, 1706.

London, April 19, 1706.

Reverend Sir,

I had yours directed to Mr Serle, but have had nothing ſince worth imparting, that was fit to be communicated (without a cypher) by the common poſt; and, therefore, I wiſh that you would agree on one ſuch as may include what perſons you think meet, and an alphabet for things, and ſend it up by a ſure hand: nor do I think the direction to a coffee-houſe proper, becauſe it will always be ſuſpected to be news, and by conſequence liable to be opened.

The treaty of union is now opened, and moſt of our commiſſioners, the greateſt and wiſeſt men of the nation, ſo that it's a very unequal match on your ſide, and looks like a deſigne of affronting, if not of circumveening you. Many people here look upon the treaty to be meer trick and amuſement, tho' it's not improbable the commiſſioners on both ſides may agree to a certain ſcheme that's already reſolved upon, which, for any thing I underſtand, is to ſink your parliament into a limited repreſentative, and then this nation has you always at command in every thing civil or ſacred, and reſiſting of their orders will then be rebellion. If this take effect, preſbytery is very ſhort liv'd, and the conſequence of that I need not tell you. There's ground to believe that our leading Whiggs here are very few of 'em right; they are thought to be in ſome hidden bargain, if not with St Germains, at leaſt with the chief courtiers here, to keep your ſucceſſion unſettled, that there may ſtill be a handle for a ſtanding army, I mean the leading Whigg lords, men of no religion or common probity. I am ſorry to find that moſt of your commiſſioners are for joyning parliaments, according to the ſcheme above mentioned; but don't wonder at it, conſidering what moſt of them are: but in my opinion this is juſt like the wolfs perſuading the ſheep to ſurrender the dog that kep'd their fold; they have our prince, and if once they get our parliament they have all. Were they in earneſt for an union they would not demand it, ſince it's a thing ſo unreaſonable, and unpreſidented, except in caſes of conqueſt. The Romans and all the great ancient governments enlarged their empire by entitling all their ſubjects to an equality of priviledges, and naturalizing them without invadeing their civil or religious conſtitutions. England itſelf offered formerly to unite with us on the like reaſonable terms in Edward the Sixth's time, and in their union with France in Henry the Fifth's time, both nations were to keep their parliaments and priviledges, and to have a mutual communication of trade, &c.: but it ſeems we are not thought worthy to be ſo treated. I am extremely concern'd, but eſpecially for the ark, and pray God to direct you to wiſe, calm, and prudent meaſures in the enſuing parliament, for I am afraid of threats, promiſes, and money. I bewail that decay of piety you mention, and the averſion of our young people of quality to what is good. They are ſad

prognoſtics, and I hear nothing more inſiſted upon as the cauſe of it by our gentry, then the many weak men imploy'd as miniſters, and the concurrence of the Kirk with the Court in the invaſion of our civil rights. It was not wont to be ſo, but I perceive the genius of the nation to be much ſunk, that moſt of thoſe who are for liberty have no concern for religion, and that too many of thoſe who are zealous for religion are very ill informed in point of civil liberty. This was not the way of our glorious reformers. The great Knox underſtood both, and his practice agreed with his principles. I hinted before that I deſigned to write upon the union, and ſhall, God willing, have ſomething ready on that head againſt the parliament meets, which I hope may be of uſe. You will hear of Paterſon's Book, which, bateing the ſchemes and computations, has nothing in it. You will alſo hear of another call'd an Eſſay upon the Union, by an unknown hand. It is writt with ſtrength and judgement, and his ſentiments are exactly mine, except ſome matters of fact wherein he is miſinform'd, and that I perceive him to be a cavaleer: but his ſcheme is right, and had he produced authoritys to juſtify his propoſitions, it would have been a finiſhed piece. But Paterſon's is nearer the court and Engliſh ſcheme, tho' I believe they will never grant us what he propoſes.

Many people here are very jealous of a deſigne to ſett aſide the ſucceſſion, and I wiſh they may be miſtaken. A foundation of miſunderſtanding is loud betwixt our court and that of Hanover, and how far it may go, God knows. The Garter and complement is only amuſement, the oppoſeing of calling over the electreſſe, and the proceedings on Sir R[owland [G[wynne's] letter, diſcover rancour in ſome and wretched conduct in others. So that, in ſhort, wherever the treaſury, navy, and army happens to be at the queen's death, there the determination of the point lies, humanely ſpeaking: and if thoſe happen to be in the hands of Tories, the nations are in danger, and that depends on the diſpoſition of the court, which you know is changeable.

It behoves you to conſider theſe things in Scotland, and to be upon your guard. I ſhould think it proper that care were taken to have inſtructions given to your repreſentatives by their conſtituents, not to ſurrender your parliament, for common ſenſe muſt needs ſhew that were

your whole parliament here, England is able to out vote you, and much more if you have but a limited number, except that limited number be anfwerable to your parliament at home. I adde no more, but that I am, fir,

Your moft humble fervant.

IV.—MR GEORGE RIDPATH TO THE REVEREND ROBERT WODROW.

London, April 27, 1706.

London, Aprile 27, 1706.

Reverend and Worthy Sir,

I have received yours, with the afflicting news of your worthy brother's death. I fympathize with you as you do with me; and may the Holy Spirit, who has made himfelf known to us by the name of the Comforter, minifter fuiteable confolation to us and all the other children of affliction. I am willing to keep up the correfpondence, for which your returns to me is all the incouragement I defire, and wifh that any thing I communicate may be ufeful. I wrote pretty freely laft week, by a young man, a ftudent, that is coming down by fea. Your brother wrote to him to enquire if I had received his letters. I hope it will come fafe to hand, and therefore fhall repeat nothing of it.

The treaty is goeing on upon the foot of an intire union. The Engliſh commiſſioners will hear of no other but one Prince and one Parliament, and now your commiſſioners are upon adjuſting your impoſt on ale, &c. and your dutys on export and import, which muſt be the fame as in England, if you have a communication of trade, which will be granted you on condition of fuch a union, whereby you are only to fend a limited number of members to parliament, but that number has not yet been talked of among them, tho' I believe moſt of your commiſſioners

will comply with leſſe than a hundred lords and commons both; nay, ſome talk of ſixty, and that thoſe who are choſen ſhall have a power to determine appeals at home from your ſeſſion, and the power of your council for keeping the peace, if ſome may get their will, is to be devolved on the Juſtice Court. Whether you ſhall have a privy council or not is like to be left to the determination of the parliament of Great Brittain, and the like the bringing of the coin all to one ſtandard, and the puniſhments due to publick crimes, but they deſigne to reſerve your own courts of judicature and municipal laws about *meum et tuum*. Some propoſed a reſervation of the church government, but that was oppoſed as being reſerved more ſtrongly already by the Union act, which they ſay makes the church government the baſis of the Union, and, by conſequence, ſacred and inviolable. Whether ſuch a ſcheme as this be for the ſecurity of your church and ſtate, you are beſt able to judge, who know your own circumſtances. If you have not men of ſenſe and honeſty to govern yourſelves, it's charity for others to take care of you, and to be ſure above 500 commoners and 200 lords will be ſufficient to take care that your 60 or 100 ſhall do us no hurt; and if you diſlike any act made in the parliament of Great Brittain, you may judge if your quota of members be likely to obtain a redreſſe. We have had your prince in our pairt for 100 years paſt, and if we once had your parliament too, you are wholly at our mercy. Should a real or imaginary Scots plott happen, and any of your great men be impeached before ſuch an united parliament, what do you think would be the conſequence? It's certainly very eaſie for us in ſuch a caſe to weed theſe troubleſome ſparks out of that part of the iſland: and ſhould we be in the mind to put an end to the Northern ſchiſm, and bring you all under the apoſtolical government and diſcipline, what will the reſervation in your Union act ſignify? But the anſwer to all this is very eaſie. You are then part of ourſelves, and no man hates his own fleſh. We are more philoſophers then to think any more of a diſtinction betwixt Scots and Engliſh. We will forgett all our reſentments againſt preſbytry, and you ſhall have the honour of a public toleration: but there muſt be an uniformity in the Eſtabliſhed Church

of Great Brittain. Your own members ſhall in time petition for it, at leaſt the majority of them, and then farewell preſbytry.

I have heard nothing from that gentleman about trade.

You had beſt incloſe in a cover, for Mr Serle, without writeing frank upon it, and ſeal the incloſed with a wafer. Take care to prepare your Parliament men. The commiſſioners will take care to have their ſcheme juſtify'd. Conceal your correſpondent. Adieu.

V.—REVEREND ROBERT WODROW TO MR GEORGE RIDPATH.

May 25, 1706.

Sir,

My writing ſo ſeldome proceeds not from want of knowlege how the treaty goes, or from neglect (tho' I have but too much diverſion from my own affairs), but from the want of a ſafer way of correſponding, as I hinted, by a young ſtudent, [in] my letter, which I hope you have received ere now; for on ſuch a ſubject there is occaſion of mentioning names and things that are not fit for the common way of writing. I am entirely of your mind, that what they call an incorporating union will ruin our church and ſoul; but, at the ſame time, muſt be ſoe free as to ſay, that what ſome people call a confederat union, or federall union, is not practicable under one ſoveraigne, and therfor think people miſtake one another rather in termes then things. However, our treaters are for what I can find, all for ane incorporating union, by a ſurrender of our parliament, and then farewell preſbytery and all Scots property. They have agreed to come to the ſame taxes with England, provided we have an exemption for ſoe many years as the Parliament of Great Britain ſhall allow, and ane equivalent for coming into the debts, which they have calculated at ſeventeen millions, tho' moſt people ſay that intereſt and all they come nearer thirty. Our dividend is computed at L.800,000, which

England muſt pay us in ready money, and thoſe who have money owing from the publick, moſt be payed of the firſt of it, and what reſts go to a nationall ſtock. For my part, I dont underſtand it, or what advantage we can reap by it. Suppoſe the remainder placed in good hands, that will not divert it from the publick, for we muſt pay them back, only we have the uſe of our own money for perhaps a few years, and if our foveraignty be worth noe more, it's time we were ridd of it. We have loſt our merkat, and might have made more of it many years agoe. Our commiſſioners think they have gained a great point that we are not to pay above L.48,000 per annum land-tax on any occaſion: but conſidering how we are computed to be in value to England, I am afraid it exceeds our proportion.

You know, noe doubt, our commiſſioners have agreed to come into the ſame cuſtomes and exciſe, only we are to have ſalt for our own conſumption, as we have it now, but moſt pay the ſame for export of it they doe, and that ſame when imported into England. They are to night to be upon repreſentative, and what quota ſhall be allowed us. Some talk of fifty commons and thirty lords, but how that will be, time muſt determine. But allowing our whole number to be added to theirs of the commons, parliament moſt determine all our affaires: you may eaſily gueſs where our church will be. To talk of preliminary ſettlements ſignifyes little, for the parliament of Great Britain can alter them as they pleaſe, except our own parliament be entruſted as guardians for our own nation. Pray think on a cipher, or tell me how I may ſend one ſafe, and then you ſhall hear oftener from me.

London, May 25, 1706.

Mr G. Ridpath.

VI.—THE REVEREND ROBERT WODROW TO MR GEORGE RIDPATH.
JUNE 21, 1706.

DEAR SIR,

I take the opportunity of this bearer to write to you freely. Our union, you have heard, is as good as concluded, foe farr as the treaters can doe it, and fo farr as their intereft in parliament can reach to have their proceedings approved, it's the moft critical point that ever came before our parliament, all things confidered, for that in 1604 was nothing comparable to it. Our natione was then more unanimoufe. The union then propofed left our conftitution entire, and the entail was not then near worn out: nou our liberty as men and chriftians is at the ftake, for if we aggrie to furrender our parliament to fuch a fcanty repref entative as 45 commoners and fixteen lords, to five hundred and thirteen commoners, and a hundred and eighty-fix lords, I need not tell a perfon of your fkill in numbers, that, confidering the conftant refidence of the prince here, it's giving up twelve parts in thirteen of our pouer of governing ourfelves, to a nation who, generally fpeaking, are enimyes to our conftitution in church and ftate. It is vain to talk of preliminaries, for ther being no power fuperiour to that of a parliament of Great Brittain, they can break the preliminaries at pleafure; and thofe that oppofe them fhall be treated as rebells. For my part, I wonder that any Prefbyterian can in confcience goe into fuch a fcheme, for if ever the queftion com before what they call a parliament of Great Britain foe conftituted, whether Epifcopacy or Prefbytery fhall be the nationall conftitution in Scotland, Epifcopacy moft carry it ten to one, efpecially if the court happen to be for it; and you know weell enough, that moft courts think that government moft fuited to monarchy: and fuppofing at fuch a juncture, that the Houfe of Commons confift for the moft part of moderate churchmen, and the propofall be, that Epifcopacy fhall be the eftablifhment, and Prefbyterians

tollerated as in England, even all thoſe called moderate churchmen will be for Epiſcopacy, which ſhewes the weakneſs of ane argument put in the mouths of our commiſſioners here, that Preſbytery will be ſecurer in the parliament of Great Britain then in the parliament of Scotland, which, they ſay, the court can model for Epiſcopacy as they pleaſe; for it's certain that whether the court will or not, the Church of England party, ſuppoſing all the Scotiſh members to be Preſbyterians, will be eight to one in a parliament of Great Britain, ſoe that you can have noe chance for it in that caſe; whereas in a parliament of Scotland, even tho' the majority be Epiſcopall in judgement, the Claim of Right, which it is made treaſon to impunge by ane act in her majeſty's reigne, will ſtill be ane awe upon them, beſides the ſenſe of the calamitys that Epiſcopacy moſt bring upon the country, and that moſt of the nobility and gentry have formerly ſuffered by it or by the tyranny made uſe of to introduce and ſupport it, in their perſons, religion, and eſtates, will make Scotchmen conſider weel before they re-admit prælacy; whereas, Engliſhmen, who will be near twelve to one in the parliament of Great Britain, have noe ſuch tyes upon them, nor intereſt in the peace and proſperity of our country: nor can the Preſbyterians have ſuch acceſs to move the parliament of Great Britain in ſuch a caſe as they have in Scotland.

Beſides, you moſt conſider that beſides their twenty-ſix biſhops in the Houſe of Lords, they have the votes of 10,000 clergymen for members in the Houſe of Commons, and all the intereſt that the biſhops and clergy can make beſides in elections; whereas, we by our principles and conſtitution can medle with nothing of ſecular affaires, but by way of advice, ſoe that to part with our parliament, is to part with that ſecurity which is our berthright; for dominion being founded on property, a right of legiſlature and judicature is as much the property of the nobility, barrons, and burroughs of Scotland, as their honnours, eſtates, and tennours are, and cannot, according to the law of God or nations, be taken from them till they be legally diveſted of their property, and how any parliament can doe that without the immediat direction of their conſtituents, or how indeed their conſtituents, who are all the perſons or communitys that hold of the crown of Scotland, can make themſelves or their poſterity ſubject to

another kingdome, to the manifeſt danger of their civil and religiouſe liberty, I am not divine or politician enough to underſtand: but this I am ſure of, that God appointed government for the good of the ſociety, and that our anceſtors, by the ſolemn league and covenant, engaged themſelves to mantain the priviledges of the parliament; and we know at the time of that oath, the parliament claimed, and afterwards obtained, a ſhare with the prince in naming all the Privy Counſelours, Judges, and Miniſters of State, as may be ſeen by the acts of K. Charles I. 2d parliament, which, by the iniquity of the times, wer afterwards abrogated; but it ſeems ſome of our modern Preſbyterians, eſpecially thoſe of the court, have gote new light. It deſerves, however, to be conſidered and examined, whether that light be not darkneſs, and I hope the other Preſbyterians will conſider the riſk they run, as weel as the guilt they may incurr, by ſuch ane inglorioufe ſurrender of our conſtitution.

I thought to have ſent a cipher by the bearer, but being ſoe uncertain of his time of going off from hence, I have not been able to doe it; and therfor, except I have one from before, muſt venture one by poſt. My laſt was to Mr Loudon. I ſhould be glad to know if mine have all come ſafe to hand.

London, 21 June 1706.

VII.—GEORGE RIDPATH TO THE REVEREND R. WODROW.

August 3, 1717.

London, Auguſt 3, 1717.

Reverend and Worthy Sr.

I have peruſed your manuſcript ſent by Coll. Erſkine with very great ſatiſfaction, and am heartily glad that a perſon of your ability and induſtry has undertaken that neceſſary part of our hiſtory which

has been ſo long wanted, and nothing yet done in it that can be thought complete or ſufficiently.

As I am very ready to give you what aſſiſtance is in my power, I preſume that you will not take it amiſs if I give my advice freely, as I ſhould be willing in the like caſe that another ſhould uſe freedome with me.

I need not inform you that the ſtyle of our country is not what it is acceptable here, nor indeed grateful to thoſe of rank at home, which is not our crime but our miſfortune, ſince our preſent language is derived from our neighbours in England, who alter theirs every day, and it is not to be ſuppoſed that our countrymen who live at home ſhould be ſufficiently verſed in it. Therefore, tho' I am of opinion that our own way of expreſſion is more emphatical, yet, as it is the intereſt of our church and country that the thing ſhould be writ in a ſtyle which will give it a greater currency here, and may be equally well underſtood at home, I ſhall be very ready to contribute my endeavours for that end; and tho' I never ſtudied what they call a polite ſtyle, yet I doubt not to make it intelligible, for a plain and natural way of writing is what is fitteſt for an hiſtorian. What is called flowers and embelliſhments muſt be left to poets, which humour prevails ſo much here, that the language is become too periphraſtical, and has already loſt a great deal of what was maſculine.

As to the matter, my opinion is thus, that it is like to ſwell too much upon our hands, becauſe the ſubject is copious. As this will make the hiſtory too bulky and chargeable, it muſt be avoided as much as poſſible. To this end I would humbly propoſe,

Firſt, That what is merely circumſtantial might be left out, except where it is neceſſary for illuſtrating the matter or aggravating the crimes of our enemies.

Secondly, That the names of meaner perſons may be omitted in the courſe of the hiſtory, except where the caſe is very flagrant or of ſpecial note; and yet, that none of our ſufferers may want having juſtice done them, I think it would be a good expedient, either at the end of the book, or of any remarkable period when ſufferers abounded moſt, to draw up

their names and abodes in one column, and the cauſe and times of their ſuffering in another, ſo as the ſame may be ſeen at one view in the chronological order.

Thirdly, That acts of parliament being matters of record, and already in print, a ſhort abridgement of thoſe acts, ſo far as they relate to the caſe in hand, may be inſerted in the body of the hiſtory, and not at large in the appendix, unleſs ſuch act be not already in print.

Fourthly, That the ſame method be taken as to proclamations, except ſuch as are extraordinary, and the like as to acts of council.

Fifthly, I'me of opinion, that tho' many of the ſpeeches of our martyrs be printed in Naphtali, &c., the moſt remarkable of 'em ſhou'd be inſerted in the appendix, becauſe thoſe books may come to wear out of print, and 'tis pity that any of thoſe noble ſpeeches ſhou'd be loſt. But for others that are leſs materiall, I conceive it will be enough to give a ſhort hint of them in the catalogue of the ſufferers, or in the courſe of the hiſtory, viz. that ſuch and ſuch perſons gave their teſtimony ſo and ſo, when the ſubject of their teſtimonys agrees.

Sixthly, That when matters of fact are not well atteſted, they ſhould be entirely left out, or but ſlightly touch'd as common reports, and even not ſo, but where the caſe is extraordinary.

Seventhly, I think it neceſſary that the ſtate or cauſe of the ſuffering in every period ſhou'd be diſtinctly tho' briefly ſet down. I need not hint that there are very great helps to be had in the *Apologetical Relations*, *Naphtali*, the *True Non-Conformiſt*, ſuppoſ'd to be the late Sir James Stewart's, *Jus Populi*, *The Hind Let Looſe*, and other accounts of thoſe nam'd Cameronians, tho' the latter ſhould be touch'd with great caution, as you have done the unhappy controverſy about the indulgence, wherein I applaud your moderation and judgment. Theſe things, I conceive, will be neceſſary both for the information of poſterity and our

neighbors in England, who are very great ſtrangers to the ſtate and cauſes of our ſufferings.

Eighthly, I judge it highly neceſſary that a brief account of what has been done againſt religion and liberty in this country, and likewiſe in Ireland, ſhould be intermix'd in their proper periods with our ſufferings; for that will not only make the book more acceptable to the diſſenters and ſtate Whigs here and in Ireland, but give more credit to the hiſtory, when the reader ſees that the deſigns of popery and ſlavery were uniformly carry'd on in all the three nations, tho' with variety of circumſtances. To that ſame end, ſome brief hints of the perſecution in France and elſewhere, and particularly of the war of our court and Lewis XIV. againſt Holland, will be neceſſary. As to theſe I ſhall make uſe of the beſt pieces that are to be found here, but with the greateſt brevity.

I have made ſome progreſs in forming a part of your manuſcript, according to this model, towards which I have the aſſiſtance of manuſcripts writ by the late Reverend Mr David Hume, from 1658 til after Bothwell Bridge. If you don't know his character, 'tis proper to inform you that he was miniſter of Coldingham in the Mers, a perſon of known zeal, piety, courage, and ability. His manuſcripts are by way of journal, and contain many remarkable things; but as that way of writing obliges a man to take in many current reports which are not ſufficiently vouch'd, I have put a query in the margin upon ſuch things as I doubt, that you may either continue or cancel them as you ſhall think fit upon further inquiry. He was his ſelf at Bothwell Bridge, and is very particular in his account of that fatal affair, and of the reaſons of its miſcarriage.

I ſhall tranſmit the ſpecimen of what I have done to you with the firſt opportunity, and ſubmit to what alterations or amendments you and others of your brethren ſhall think fit to make.

There are ſome of the records of our council here, with letters to and from our princes, which, perhaps, may not be found with you. I doubt not of an opportunity to conſult them at our ſecretary's office, and therefore ſhou'd be glad to know what you want upon that head.

As the work is like to be long and chargeable, I queſtion not but our friends will, upon proper application, contribute towards it; 'twill likewiſe be neceſſary for them to conſult whether it will be cheaper to print it with you or here, and then you may reſolve upon what you think beſt: but, however it may be, it is neceſſary that as cheap a method of correſpondence be laid down as poſſible, by merchants and gentlemen that come and go: and in parliament time, we may have franks from our own members. Mr Crawford wrote to me, ſome years ago, about helping him in the ſtile of his father's manuſcripts; I agreed to it, but never had any return, therefore ſhould be glad to know what is become of thoſe manuſcripts, and whether you have the uſe of 'em. Mr Semple of Liberton was likewiſe about a hiſtory, and had encouragement from the treaſury here to go on with it, but I have heard nothing of that matter ſince, and ſhould be glad to know whether he goes on. You are beſt able to judge whether either of theſe interfere with your deſign, and I doubt not that you will take your meaſures accordingly.

I am,

Reverend and worthy Sir,

Your moſt humble and much obliged ſervant,

Geo. Ridpath.

VIII.—MR GEORGE RIDPATH TO THE REVEREND ROBERT WODROW.

August 10, 1717.

Reverend and Worthy Sir,

I wrote to you ſometime ago my opinion about your hiſtory, which I doubt not Coll. Erſkin has, according to promiſe, ſent forward. I ſhall not repeat what was hinted there, but wiſh you had commenced from the Reformation, for that neceſſary part of our hiſtory has never been

well done. Buchanan, Knox, and Calderwood, are very brief and lame on that fubject. Petry gives fome good hints, but ſtill imperfect. I have many original papers that fets it in a clearer light, ſuch as letters from Q. Mary and her Miniſters, beſides ſome things in print that are very ſcarce. Theſe, with the MS. Calderwood, and what other helps might be had by your induſtry, would make the thing as compleat as can be expect-ed at this diſtance of time. I have a MSS. of Spotſwood that was the Duke of Lauderdale's, and differs much from the print; the interlinea-tions are in the Archbiſhop's own hand. I have alſo an authentick copy of the acts of the Gen^{l}. Aſſemblys from the Reformation to 1609, ſigned by T. Nicholſon their clerk, Mr William Scot of Couper's MS. hiſtory, and many other things which would be great helps. I can alſo have acceſſe to the Lord Wariſton's MSS. in the hands of his ſon, formerly ſecretary, ſo that we might carry on the thread thro' K. James 6^{ths} time to the Reſtoration, eſpecially thro' that important period from 1638 to 1660. I propoſe it therefore to your conſideration, whether we had not better make the hiſtory compleat than leave ſuch a chaſm behind, which it will look prepoſterous to fill up afterwards. I have hinted this matter to our good friend the Principal of your Univerſity, who, being a perſon of judg-ment and a publick ſpirit, is capable of adviſing us and giving us helps from the library, &c. I have copys of many things from the Lawyers Li-brary at Edinburgh, and ſhall be glad to have the Principal's thoughts and yours upon this matter. I know it is a large field, and will require much time, pains, and judgement, and therefore am willing to ſubmitt what ever I ſhall do in it to the judgement of whom you ſhall think fit; only I think it neceſſary, after all amendments, that the compoſure be by one hand, that the ſtile may be uniform. I adde no more at preſent, but that I am, reverend and worthy ſir,

Your moſt humble ſervant,

Geo. Ridpath.

10th Auguſt 1717.

To the Reverend Mr Wodrow.

IX.—REVEREND ROBERT WODROW TO GEORGE RIDPATH.

SEPTEMBER 23, 1717.

DEAR SIR,

When I had anfwered yours of the 3d, and was waiting ane oportunity to fend it to you, I am favoured with yours of the 10th of Auguſt, which is a new tye laid on me; and our common freind, the Principal of Glaſgow, tells me I ſhall have ane occaſion of ſending my anfwers both ſafe to you by ſome acquaintance of yours, to be in this country in a few dayes.

I forgot in my former to deſire you, when you get acceſs to the Secretary Office, particularly to look after that letter of the king, in the time of the Pentland executions, ordering a ſtop to be put to the executions. It is December 1666. It is generally believed here that ſuch a letter was writt, and came to the Archbiſhop of Saint Andrews, as Preſident of the council in the Chancelor's abſence, and that he keeped it up till a good many more wer execute.

No doubt you may fall upon a great many important papers there, which we can have no acceſs to here, and you are fully able to judge which of them will be proper for the deſigne of the Hiſtory of the Sufferings, and what are not here, you will know by my papers, in which I took care to infert every thing of importance I found in the regiſters; and I ſhall, as ſoon as occaſion offers, and I have your addreſſe, ſend up ſome more of them to you.

It is moſt certain our hiſtory, ſince the Reformation, is not writt as wer to be wiſhed. A great many very conſiderable diſcoverys have been made ſince the Revolution, and ſome before, which Buchanan, Knox, and Calderwood, had not acceſs to know, and many helps are now in our hand theſe good men had not; beſides, we have a long blank from the

death of James the 6th to this day, during which intervall we have nothing of a hiſtory.

But I never interteaned any tho'ts of beginning ſo high, or eſſaying any thing like a compleat hiſtory. The account of our ſufferings from the Reſtoration to the Revolution was too much for my ſhare, and only treulie undertaken with a view to ſet matters under a juſt light as to Preſbyterians ſuffering, and not to be a compleat hiſtory even of that very period. Indeed, ther was litle thing elſe but oppreſſion, barbarity, and perfidy in that black intervall, and the account of Preſbyterians ſufferings is almoſt all that a church hiſtorian has for his ſubject thefe 28 years. Yet diſpairing almoſt to ſee any tolerable hiſtory of our church, and having my ſpirit a litle ſtirred with the tho'ts that poſterity would not credit the one half of what was fact, and that ſince the Revolution we have been ſo much in the wrong to ourſelves, the cauſe we own, and our children, in not giving the wordle ſome view of what this church underwent for religion, reformation, rights and the cauſe of liberty, and likewiſe the vile aſperſions of our malignant and Jacobite enemys, who will be a dead weight on the government as weel as this church if not looked after, wanted not its weight. Thoſe things made me venture to eſſay a work of this nature.

Sometimes I have tho't the hiſtory of this church is too vaſt a field for one man to enter upon, unleſs he could give himſelf wholly to it; and could it be parcelled out on its different periods among proper perſons, it would certainly be the beſt way of doing it. You ſee the black part, I dont weel know how, hath come among my hands.

Far be it from me to diſwade you from what you propoſe in your laſt of compleating our hiſtory. Since I heard of your deſigne of contineuing Buchanan, I ſtill reaconed you had your heart on this neceſſary work, and I was extremely pleaſed to hear it was among your hands, and greived that other things had ſo long diverted you from it. We muſt certainly do things as we can, when they are not like to be as we would, in a time when the publick intereſts are but too litle regarded; and I beſeach you go on to do all you can in this way for your mother church and country.

If ever my Hiſtory of the Sufferings come to any bearing, ſo as friends think it worth the publiſhing, it will ſhorten your work from the Reſtoration to the Revolution: the deſing of it being preciſely upon the ſufferings, I can ſcarce think it will be out of the road to publiſh it ſeparately when ready for that, and I wiſh, may ſtirr up others to give us the other branches of our hiſtory we need ſo much.

You may aſſure yourſelf of the outmoſt aſiſtance in the work of our compleat hiſtory I am capable to give you, and you ſhall want nothing I have in my ſmall collection this way. Since I was capable of remarking this lamentable defect, I ſtill pickt up any thing came in my way, which I tho't might give light to our hiſtory, without any tho'ts of ever being in caſe to do any thing myſelf, but merely from ane Athenian ſpirit, and, I hope, ſome regard to the intereſts of this church and the Reformation; and if you deſire, you ſhall have a compleat liſt of what I have gote in my hands this way.

In your former letter you deſired to know what is become of Mr Crauford and Mr Sempill's hiſtory, and I ſhall give you what I know anent them.

Mr Crauford was my imediat predeceſſour in this congregation, and [a] zealouſe, worthy, and diligent perſon, for whoſe memory I ſhall ſtill have a great value. His hiſtory I read over many years ago. I hear nothing of his ſon, who is compreſbiter with me, his publiſhing it now theſe ſeverall years. The largeſt half of it, as far as our printed hiſtorians go, contains not much which I obſerved diſtinct from them, except a few remarks upon Spotſwood here and there; neither do I remember, and I talked with its author upon its materialls, that he had any papers of that time come to his hands, diſtinct from our printed hiſtorians, except Scot of Coupar and the MSS. of Calderwood at Glaſgow; and I dont remember if his many infirmitys of body ſuffered him to go throw them all either. This made me adviſe his ſone to ſhorten that part of his father's work, and give us only ane abſtract of the hiſtory already in print, referring to the authors and principall papers in them, which would have reduced the firſt volume to a few ſheets, and to interpoſe a good many things that

have not yet been publiſhed.* But nothing of this is as yet done as far as I know.

After K. James' death, Mr Crauford is very ſhort till the 37, and from thence to the lamentable diviſions 1650. He gives a very diſtinct and large account of matters, which I heartily wiſh had long ſince been publiſhed. Indeed, his ſtile needs to be helped very much, but he hath many valuable things, and a good many of them from Mr Rob^{t}. Bailay's letters, which I ſhall ſpeak ſomwhat of before I end.

He overleeps from the 1650 to the Reſtoration as unfitt to be raked into with the Revolution, and a litle after it when he wrote, leaſt theſe unhappy diviſions ſhould kindle again, by dipping to them: from the Reſtoration to Bothwell, wher he ends, he hath not compleated, and there were but a few hints of things which he would have extended, had he been ſpared to finiſh this work.

What Mr Semple† hath done I can not give you ſo good ane account of, having never ſeen any part of it. He told me, about a year agoe, that he had the firſt volume, if my memory fail not, to the union of the crowns, perfected and ready for the preſſe, and that he deſigned ſpeedily to publiſh it. But ſince I hear nothing of it. This, I know, he hath had very great advantages in point of materialls. One night I was his gueſt, and he let me ſee a vaſt many papers, upwards of 30 quair, he had cauſed copy out of the Bodleyan and Cotton Librarys, and other Collections in England. I looked over ane index of them he had formed, and found they related moſtly to our civil affairs. Beſides this, I know he hath gote great aſiſtances from Sir James Dalrymple, Sir Robert Sibbald, Mr James Anderſon, and others in Edinburgh; but I imagine they relate moſtly to the period before the union of the crowns. What his materials are ſince, I cannot ſay, only I know he hath had the advantage of Mr Bailay's letters.

* Crauford's son advertised his father's history for publication, by subscription, but meeting with no encouragement, the project was abandoned.

† Samuel Semple, or Simple Samuel, as he used to be termed, was minister of Libberton. His projected work never appeared.

I ſhewed him a liſt of what papers I then had relative to our own hiſtory, and it was but very few of them he had mett with, and deſigned to come and ſtay ſome weeks with me, and go thron them. But tho' this be 6 or 7 years ſince, I have not had the benefite of his company. He knows of my deſigne upon the Sufferings, and has had a copy of the firſt part from the Reſtoration to Pentland to read, and preſſes me to go on. This is all I know adoing here as to our hiſtory.

And after all, I am of opinion you ought to goe on in your deſigne; if you ſhould be prevent by another weel writt hiſtory, I promiſe myſelf it will be fatiffying to you; and if not, it wer good to haue things in readineſs, and ſtill be going on.

It is perhaps too much for us to propoſe any thing upon the method of this work to one who is ſo good a judge, and hath far more ripeneſs in this matter then I can pretend to; but, according to my plain rough way with my freinds, I juſt daſh down what ſtrikes me in the head when writing. In ane introduction I would have the matter of our Culdees handled, which I own nobody yet hath done to any purpoſe ſave the hints Sir James Dalrymple hath given us in his collections; and yet I am aſſured, by one who has conſidered this matter, and underſtands that old part of our hiſtory as weel as any in this country, that much more might be gathered about them; and, I am aſſured, Mr Anderſon, our generall poſtmaſter, whom I ſuppoſe you know, hath made ſome valuable advances with relation to them. I take them to have entertained a noble ſtruggle, not only for religion and its purity againſt Rome, but even for liberty againſt the incroachments of our princes; and I ſometimes fancy that brave manly temper that appeared before and after the Reformation, and till the union of the crowns, among Scotſmen, was in part owing to them, and the ſeeds and principles they left before their utter extirpation, of which you have given ſo good evidences from our Old Conſtitution, a valuable paper you publiſhed about the 1703.

As to the period from the Reformation to the union of the crowns, I would not be much for reprinting much of what we have already in Calderwood, Knox, whom I ſhould have begun with Petrie and Spotſwood. The line and thread of matter of fact would be continued, and references

for fuller accounts made to them; but I wiſh the unhappy turns that Spotſwood gives to matters, and the facts which, as a compleat party-man, he fuppreſſeth, wer taken nottice of, and his diſengeneuity expoſed, which you will be in caſe to do from the MSS. of his you have.

Beſides this large MSS. of Calderwood, you may have conſiderable helps in this period, from ſeverall accounts writt in that time, and before K. James' death. I have Mr James Melvil's Memoirs of forty or fifty ſheet; another hiſtory, ſaid to be Mr John Davidſon's, about thirty ſheet; Mr John Forbes' account of the Aſſembly at Aberdeen, and the tryall of the miniſters at Linlithgow, with the reaſonings at full lenth, about twenty ſheet. Mr John Row of Carnock's Hiſtory, which is pretty large, and conteans many valuable hints as to the liues and characters of our miniſters and others, before the union of the crowns, I have not mett with elſewher. You have Mr Scot of Coupar's Apologeticall Narration, and the authentick Acts of Aſſembly. Balfour's Annals are at Glaſgow, but it's moſtly as to civil matters. I have juſt now gote copys of a good many letters twixt Queen Eliz̃abeth and King James, which Sir James Balfour doubled of the originalls, with ſome other papers relative to that time. I have likewiſe a large hiſtory from the Reformation to the 1610, write at that time, I don't know by whom, of near two hundred ſheet, which is only eccleſiaſticall, and hath the proceeding of our aſſemblys embodied with it; and Arch. Simſon, miniſter at Dalkeith, his Annales Eccleſiæ Scoticanæ, writ in a noble ſtile of Latine, about thirty ſheet; it reaches from the Reformation to King James' death.

Ther are ſome hints not deſpicable in Mr Blair and Livingſtoun's Life for the period twixt the 1625 to the 1637: and in the 1637, 8, 9, we have great numbers of papers, narratives, and contraverſys about the ſervice book. I have the proceedings of the aſſemblys 1638 and 9, with their reaſonings at great lenth, twenty or thirty ſheet each: from thence to the 1660 there is no want of materialls. I have the autograph acts of Aſſembly, from the 1642, 1646, in two folios, but wanting ſome leaves; the reſt of them are at Edinburgh with the regiſters of the commiſſion. I have a large account of the Aſſembly at Aberdeen, 1640 or 41. Biſhop Guthry's account of this period is printed, and I have Sir James Turner's

remarks upon him, which are but ſhort. A valuable MS. is lately come to my hands, which was once in Mr Robert Douglaſſe poſſeſſion, a Hiſtory of the Church and State of Scotland from the 1638 to 1647, upwards of a hundred ſheet, in a fair hand, and two volumes in folio, intituled Regiſter of Letters, Actings and Proceedings, from the 1654, 1661, ſigned by Mr Ker the church clerk. It conteans nothing but copy of letters twixt our Scots noblemen and miniſters, and Cromwell and the Engliſh managers and miniſters; it come to me only within this fort night, and I can only ſay it's a rich treaſure. Out of it I hope to get ſome conſiderable accounts of the overturning of our religion, and liberty at the Reſtoration. The two vols. will contean about five hundred ſheet.

After the Reſtoration, I mind nothing ſave Mr Kirktoun's MSS. hiſtory,* which I have; and it was of uſe to me as far as he goes, which is only to Bothwell. Thus you have a hint at what is in my hands. I haue forgote what I reacon the moſt valuable thing we have remaining twixt the 1638 and 1660; and that is 4 large folios of Mr Robert Bailay's letters, and the moſt conſiderable publick papers not in print, interſperſed, which I have by me from his grandchildren. He wrote almoſt every poſt when in England, and you know he was much there from the 1641—1648, and he gives the beſt account of the Aſſembly at Weſtminſter I ever ſaw.

Wherin I can be helpfull to you from any of theſe, you may freely command me; and I ſhall moſt cheerfully communicate with the copys of any of them that are my own, or copy for myſelf and extract out of others of them in any point you deſire to be ſatiſfied in; and I'll preſume you will not grudge me copys of any things you have, that are communicable, and as large ane account as you can give me of the MSS. and papers in your hands. My Lord Wariſton's papers, if they be his diary, which I am told is in his ſon's hands, wer I as looſe-fooled as I have been, I could come to London to have the benefite of reading it, not ſo much for the hiſtoricall hints, which no doubt are valuable, but

* Printed from the original MSS., with various valuable illustrations and notes, by C. K. Sharpe, Esq. Edin., 1819. 4to.

eſpecially for his religion and cloſſe living with his God, and his rare experiences and prayer. I have a good many of his letters and papers about the unhappye differences in MSS.

To be ſure by this time I have wearyed you with two long ſcrolls. I very much long to hear from you, and will aſſure myſelf you cannot weary me. Principal Stirling tells me you are beginning the atlas for Scotland; and if I can give you any aſiſtance from a collection I made long ſince of foſſiles and formed ſtones, curious enough in their kinds, I gathered hereabout, and ſome Roman coyns and inſtruments in my hands, dugg up here, they ſhall be communicate to you. I muſt break of with my beſt wiſhes that you may be preſerved in health, long to be uſefull for your God and country; and am, Dear Sir,

Yours moſt ſincerely and affectionately,

Ro. Wodrow.

Sept. 23, 1717.

To Mr George Ridpath at his lodgings,
London.

X.—REVEREND ROBERT WODROW TO MR GEORGE RIDPATH.

March 20, 1719.

Dr Sir,

I ſend you by this bearer two volumes of the Hiſtory of the Sufferings. If Colonel Erſkine be in toun, he will join with you in preſenting them to Mr Secretary Johnſton, to whom I have preſumed to write by the encloſed; and if the Colonel be come off, you [will] pleaſe to receive them, and deliver them. When he is pleaſed to return them,

with his remarks, you'l acquaint me by poſt, and ſend down the remarks as ſoon as may be.

I have another favour to beg, having none in London I preſume to uſe ſo much freedom with as yourſelf, and that is, when Mr Johnſtoun has done with them, you'l pleaſe to ſend them to Dr Calamy with the enclofed letter to him. It will not be needful to ſend the letter to him till you ſend the books withall.

I long to hear from you, and to have a return to that I wrote formerly to you, and will be glade to know when this comes to hand. Forgive all this trouble from, Dear Sir,

Yours moſt affectionately,

Ro. Wodrow.

Eaſtwood, March 20, 1719.

To Mr George Ridpath, at his houſe in Gravel Street, Holburn, London.

XI.—THE REV. R. WODROW TO MR SECRETARY JOHNSTONE.

March 20, 1719.

Sir,

I preſumed by my friend, Colonel Erſkin, to acquaint you with my deſing of printing a Hiſtory of the Sufferings of this Church, wherein I have occaſion to mention your excellent father; of whom I was unwilling to publiſh any thing till you had ſeen it, and given your opinion.

Upon the Colonel's defire in your name, I have fent up the two firft volumes of the Hiftory to Mr Ridpath (in cafe the Colonel be come doun to Scotland) to be put in your hands, with my humble thanks for your condefcending to look over any thing that drops from fo mean a hand as mine.

As foon as your laizour permits you to run through this firft book, pleafe to deliver it again to Mr Ridpath, with your remarks and additions. This copy is tranfcribed by one who ufes to be pretty exact. I have not had time to collat it and correct it by my own copy, which I ftill keep by me; but you'll eafily obferve the literall efcapes.

My friend the Colonel tells me of your defign to give fome light to our Scots Hiftory from the year 1637, from papers in your hand, which I am extremely fond to hear of. I have been a long time of opinion, our hiftory ought to be writ by parcells, if writ to purpofe, and I know none fo fitt as yourfelf to clear up that point, and no doubt, you have aboundance of materials. If any thing in my fmall collection of manufcripts can be of ufe to you, when I know how far you come doun, I fhall fend you a lift of what I have, and you may command them.

Forgive my prefumption in giving you any trouble; and believe me,

Your moft obliged and moft humble fervant,

Ro. Wodrow.

Eaftwood, March 20, 1719.

To the Honourable Mr James Johnftoun,*
late Secretary of State.

* In May 1737, died, "at the Bath, aged 95, the Hon. James Johnstone of Twickenham, in Middlesex, Esq., son of the Lord Warriston, beheaded in Scotland in 1663. He was Envoy to the Elector of Brandenburgh (afterwards King of Prussia) in the reign of King William, and also Secretary of State to that Prince, and Lord Register of Scotland in the reign of Queen Anne."

XII.—THE REV. ROBERT WODROW TO EDMUND CALAMY, D.D.

March 20, 1719.

Reverend and Dear Sir,

The ſmal acquaintance I had the honour to have of you in Scotland, ſome years ago, could not have emboldened me to give you the trouble of any papers of mine, if you had not been pleaſed to deſire me, by my friends Colonel Erſkine* and Mr Colin Drummond to ſend you them, and kindly to offer to look them over, for which I humbly thanke you.

From my friend, Mr Ridpath, you'l receive the firſt book of the Hiſtory of our Sufferings in this church. It is tranſcribed from my copy, and I have not had time to collat it; you'l eaſily help the faults in tranſcribing, which, I hope, are not many.

The vouchers and proofs are ſuch as will, I hope, be found ſufficient, but I am very ſenſible my ſtile, and what is properly mine, will not anſwer the taſte of this age.

Your help to make this as palatable as may be will be extremely obligding, and your remarks, amendments, and additions, in reference to the pages, ſhall be carefully conſidered and inſert by me, and the pages in this copy exactly anſwer you;† and if it be any way for eaſe to you, pleaſe to cauſe bind in clean leaves of paper with this copy, and write upon them.

When you have gone through this book, which I wiſh may be as ſoon as laizour allows, I ſhall ſend up the following books.

I have no apology to make for this trouble I give you; your concern for every thing of a publick nature, relative to this church, makes me hope that you will not grudge the reading over of this. May the Lord

* Hon. Colonel Erskine of Carnock.

† Sic.

preſerve you long for his ſervice, and contineu a publick bleſſing to his church.

I am, Reverend and Dear Sir,

Your very much obliged and moſt humble ſervant,

Ro. Wodrow.

Eaſtwood, March 20, 1719.

To the very Reverend Mr Edmund Calamy, D.D. and Miniſter of the Goſpell, London.

ACCOUNT OF THE DISCUSSION IN PARLIAMENT AS TO THE LOSSES OF CAMPBELL OF SHAWFIELD.

The Malt-Tax was very unpopular in Scotland, and payment having been evaded, "in 1724, the subject was brought before the House of Commons, by Mr Brodrick, who proposed that, instead of the duty on malt in Scotland, there should be fixed a duty of sixpence on every barrel of ale. Walpole was opposed to this, but finding the sense of the House against him, he acquiesced, taking care to reduce the duty to threepence. The money, it is said, was exacted partly to defray an allowance of ten guineas weekly, which Walpole had to give every Scots member, during the session, in order, as was alleged, to support the charge of their residence in London. These Scots members were now told by Walpole, when they waited upon him, that they must find, or acquiesce in some mode, to make up this expense from the Scotch revenue, or else, as he expressed it, they must, in future, 'tie up their stockings with their own garters."*

The result of this determination of the Commons was a general feeling of dissatisfaction throughout Scotland, and in Glasgow, a serious riot was the consequence. "The mob," continues Lord Mahon,† "assembled in large numbers, shouting 'Down with Walpole,' and 'Up with Seaforth!' they broke open and plundered the house of Mr Campbell ‡ of Shawfield, member for the city, and his cellar being unfortunately well stock'd, added full incitement to their fury. Two companies of foot, under Captain Bushel, had been sent from Edinburgh, at the first apprehension of a tumult; these were now surrounded by the mob, and fiercely assaulted with stones and other missiles, until the soldiers being compelled, in self-defence, to fire, killed nine persons and wounded many more. Nevertheless, the mob seemed exasperated rather than dismayed, and Captain Bushel was compelled to retire to Dumbarton Castle, still pursued and pelted by the rabble, during a part of the way."

* History of England, from the Peace of Utrecht to the Peace of Aix-la-Chapelle, by Lord Mahon. London, 1837. 8vo. Vol. ii. p. 102.

† Page 103.

‡ In the Analecta Scotica, vol. ii. p. 111, there is a letter printed from Campbell to Wodrow, in which he mentions a new project of making twenty-five Scotch peers hereditary peers of England. He was a shrewd clever man, and though of humble origin, had great influence in Scotch matters.

General Wade, seeing the necessity of prompt measures, marched to Glasgow, and his force being sufficiently strong to defy resistance, he put down the tumult, and captured many of the rioters. He also apprehended the Provost and Magistrates, and sent them to Edinburgh, on the charge of either timidly or treacherously conniving at the riot. They were, however, speedily liberated. At the trial, which followed, the rioters were acquitted, the Lords of Justiciary having, by an interlocutor of relevancy, laid down certain legal propositions, the soundness of which was much questioned, and the effect of which was to throw serious obstacles in the way of a conviction. The country considered that a victory was obtained over government, the zeal of the people revived, and a combination was formed amongst the Edinburgh brewers, engaging not to give security for the new duty, nor to brew, if the duty were demanded.*

An application was made by Mr Campbell of Shawfield to Parliament for reparation, and the following report of the discussion on that subject was transmitted by George Drummond, Esq., Lord Provost of Edinburgh,† to the Honourable James Erskine of Grange: a copy was communicated to the Rev. Robert Wodrow, which is still preserved in his collections. The detail is so minute and graphic, and the discussion so interesting, that no apology can be needed for its introduction in this Miscellany.

Ultimately, upon the report of a committee of the House of Commons, it was resolved, "That a sum not exceeding six thousand and eighty pounds sterling be granted to his Majesty, for enabling his Majesty to make satisfaction to Daniell Campbell, Esquire, a member of this House, for the damages by him sustained in the late riot at Glasgow, on account of the concern the said Mr Campbell had, or was supposed to have had, in promoting the act for laying a duty upon malt, for the service of the year 1725," which resolution was agreed to by the House.‡

By the address of the Earl of Isla, this dispute was put an end to, and the combination of the brewers was speedily dissolved.

* An attempt was made to get up a prosecution against Captain Bushel for murder; but the Lord Advocate (Forbes) refused his concurrence; and government obtained for him a free pardon from the king. This last measure, which seems really to have been a fair exercise of his majesty's prerogative, created additional disgust in Scotland.

† George Drummond, Esq. to whom the citizens of Edinburgh, besides other benefits, are indebted for the Royal Infirmary. He was born June 27, 1687, and died 4th November 1766. There is a bust of him in the public hall of the Infirmary. He had a brother, Alexander, sometime British Consul at Aleppo, who married and left three daughters, Christiana, Catherina, and Henrietta. A sister, Mary, died unmarried.

‡ Journals of the House of Commons, vol. xx. p. 668.

PROVOST DRUMMOND'S ACCOUNT OF THE DISCUSSION IN THE HOUSE OF COMMONS, UPON THE APPLICATION OF DANIEL CAMPBELL, ESQ. OF SHAWFIELD, FOR COMPENSATION FOR HIS LOSSES BY THE RIOT IN GLASGOW.*

London, 5th March 1725–6.

SIR,

The repairing Mr Daniel Campbel's loffes, having been under the confideration of the miniftry, brought all the affair of the mob, and what followed on it, upon the carpet. As to Mr Campbels part, he infifted to be repair'd by the publick, or not at all, being refolved to have

* This account of the parliamentary discussion was accompanied by a letter, March 12, 1726, from Mr W. Steuart to Wodrow, in which the former says (Letters, MS. vol. xvii. No. 28), "I had scarce time to write the enclosed letter from Provost Drummond to Lord Grange, and gett it despatched by this post. I had some difficulty in getting it, but knew you would be curious to see it." On the 21st of April following, the same person writes, "I see, by this days news, that there is granted a soum not exceeding six thousand pounds, for the repairing of Mr Campbels losses: though I am confidently told that some private letters in toun bear that his losses are to be made up by the toun of Glasgow out of the twopennie Scots duty on ale, and that there is a collector appointed for gathering it. This Shawfields friends dislike much, being sure that he will not gett half the soum, if the matter be enquired into, as no doubt it will very strictly, if the toun of Glasgow pay it." On the back of this letter is the following jotting in the handwriting of Wodrow, as to the particular items of the sum claimed as the amount of loss:—

"To Shawfields house and gardens,	2000 pounds.
Loss in furniture,	1500 —
In money and bank notes,	1640 —
In jeuels not recovered,	740 —
In gold and medals of Miss Campbells,	200 —
	6080"

no queſtion with the town of Glaſgow for it, which the miniſtry out of regard to him agreed to. But great reſentment was entertain'd of the Judges pairt in the queſtion. My Lord Advocate laboured this with great application, and only yeſterday morning gott Sir Robert Walpole to agree that they ſhould not be brought into queſtion; only Sir William Young, in ſeconding Mr Wade, who was to preſent the petition, was to throw out ſome words about them, and there the matter was to be let reſt.

The petition is general and modeſt: it mentions no ſum. Mr Wade preſented it, and loaded nobody but the mob. Mr Hungerford, upon putting the queſtion to refer it to a committee to examine and report, in a ludicrous manner was againſt the publick repairing the loſs—only Scotland, or the place offending. Sir William Young ſupported the queſtion, joked Mr Hungerford, threw out the words reflecting on the judgement below, in ſo ſoft a manner, that no "HEAR HIMS" attended him, ſo that I verely beleive had no body ſpoke in anſwer to him, the things would have gone of to our wiſh. But, unluckily, Mr Dundas* (who, by his cheif, had about this time brought the Marqueſs of Twedale and Earl of Aberdeen into the gallery to be witneſs to the attack) entered into the whole ſtory, and began with the petition, which he ſaid he wiſhed had been a little more plain—that it had pointed out the way by which Mr Campbell expected his redreſs—if from the publick, he would not tell whether he might be for it or not; but if it was to be propoſed by a law now to be made, to ſubject the people of Glaſgow, he would by no manner of means give his aſſent to it. He doubted if the mobs reſentment was the effect of the malt-tax; for his own part, he imagined it was created by giving it out ſome days befor that there was to be a mob, and ſeem'd to inſinuate a mob was wiſhed for. The mob itſelf he treated in a merry manner, by the name of ane Amazonian army—that one man with a ſtick could have, and did diſperſe. Buſhels† ſtory he exagerat in

* Robert Dundas of Arniston, M.P. for Edinburgh. He had previously been Lord Advocate, but when Walpole came into power he was removed, and succeeded by Duncan Forbes of Culloden. Hence his opposition to government.

† Francis Bushel, captain in the Earl of Deloraine's regiment, then stationed at Glasgow.

the manner of the Glaſgow account—pointed out the horrid murders committed—gave the hiſtory of the armys march thither with a train of artillery, and the independent company, alluding to the Highland Hoſt—threſh'd the conduct in taking up and ſending the majiſtrats [to jail]—cry'd out on the refuſall of concurrence to Buſhels proſecution, and here laid on the regency and king about the pardon—talk'd over every thing he ſaid in a very warm manner, particularly that he ſaid in vindication of the ſentence of the judges. This ſpeech heartily warm'd the houſe. While he was ſpeaking, Sir Robert Walpole again and again inſiſted my Lord Advocate ſhould anſwer him, which forced him up.

To the petition he ſaid the diſpute ſtarted about, it was proper enough when a report came in, not now: he expoſed Mr Dundas's opinion of the ariſe of the mob—gave the hiſtory of the mob in parliamentary language—laid on Mr Dundas as to the power of diſperſing it—touch'd at the reaſon of marching troops thither—juſtified the conduct of ſending in the magiſtrates, from their behaviour, and the unreaſonableneſs of confineing them to a priſon where the jayler was their ſervant—went thro' Buſhel's behaviour to juſtify the meaſure of giving him a pardon, leaving it to the neareſt of kin to proſecute for the aſſythment, and concluded with his opinion, that the judges might have been carried away a little with the affectation of popularity, which might have a little influenced the reaſon of proſecution againſt Buſhel, from the miſtaken opinion the mob had of the judges' ſentiments, yet he was not of opinion, that they had done any thing to merit a cenſure. All my Lord Advocate and our judges' friends were much pleaſ'd with the calmneſs he ſhew'd (tho' much provoked), and eſpecially for his manner of vindicating the judge. But it was not allowed to reſt here; Mr Dundas gott up again, and among other things, labour'd the affair of the pardon, and expoſ'd the redreſs to be had, by proſecuting the aſſythment, and ſaid ſome other warm things. This called up Sir Robert Walpole; in what he ſaid he plainly inſinuated the mob had its riſe from accounts ſent down by the people here, who, themſelves, were the firſt conſulted, and who firſt agreed to the propoſition about the malt-tax: he inſinuated there were preſidents where members had been cenſured for appearing as lawyers elſewhere againſt

things which had no more fanction than the refolution of this Houfe. That it might be at a proper time very reafonable to confider if an appearance againft a law might not better deferve the Houfe's animadverfion. As to Bufhell's part, he believ'd if his conduct lay properly before the Houfe, it would be found he deferved to be rewarded inftead of profecution. And as to the pardon, he faid he would leave it to the gentlemen of the long robe to fay what was law; but to find that to rob and pillage a mans houfe, animo injuriandi, was relevant to inferr no more than an arbitrary punifhment, and, animo lucrum faciendi, death, was a diftinction contrary to common fenfe. And where was Bufhel to be try'd? Before this animo injuriandi court. Sure it was not reafonable to leave the queftion with fuch judges, whofe conduct he believed it might be very reafonable to review. He ran over the behaviour of our people below in relation to judgements concerning the revenue as an aggravation. But, notwithftanding of Mr Dundas's provocking manner, he did not conclude in any motion about the judges. The Mafter of the Rolls follow'd him, with a yet more angry fpeech about the judges, in which I think he pointed at making it practicable to try caufes out of Scotland, alluding to a prefident, in relation to Wales, where, finding a combination to evade the law, they made caufes tryable in the next Engliſh county. He inſiſted to have Mr Campbels damage made good by Glafgow. Mr Poultney* followed him, and inſiſted to have Shawfields damages made good out of Glafgow. Sir Robert ſtept in, and faid he had yet form'd no opinion how the damages were to be made good, but that would be proper to be confidered of upon the report of the comittee; but he believed the gentleman himfelf would rather have an other houfe pulled down than have recourfe to Glafgow for releiff; and again moved the queftion, which was agreed to without diviſion. Upon the whole, the matter has a very different afpect at prefent: its in the power of any one member to have the judges conduct tryed by a committee of the Houfe, which is always ſtanding for that purpofe; and whether it may not land in ane addrefs of both Houfes about them, I cannot tell. 'Tis a queftion

* Afterwards Earl of Bath.

now [if they] have it in their power to free the town of Glafgow. The part of Dundas's fpeech that provock'd the Houfe moft was fpeaking of the judges. " For his pairt (he faid), he was fully of opinion they had done nothing contrary to law; their fentence was agreeable to law, and the puniſhment they inflicted was all the law allowed for the crime; but were it otherways, there was a proper place it might be try'd in—an other Houfe—before this Houfe it could not."

Tho' thers a ſtanding committee before whom thefe proceedings might be regularly call'd for, yet Sir William Youngs way of fpeaking of them imported no more than ane inſinuation that the judges of England had their commiſſions quamdiu fe bene geſſerint; yet, on ane addreſs of both Houſes of Parliament, they might be removed from their office; and that if the Scots judges commiſſions ſtood upon any other foot, it might be proper to conſider it would not be fitt to put them on the ſame foot. Had they been let alone, it would have paſſed without any more; but now the devil is raiſed, I don't know how he will be laid. I am weary of this melancholy ſubject.

END OF VOLUME FIRST.

EDINBURGH PRINTING COMPANY.